

dependent school district of the pro rata of the taxes payable upon the property contained in such added territory on account of any outstanding bond issues which may exist against such territory; and declaring an emergency."

Have had same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass, and, being a local bill, that it be not printed.

WOOD, Chairman.

Committee Room,

Austin, Texas, May 12, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

H. B. No. 141, A bill to be entitled "An Act authorizing and empowering the city of Perryton, in Ochiltree County, Texas, to close certain streets; to narrow and reduce in width certain other streets; to, by ordinance, make provision for settlement and adjustment of property rights with owners of property adjacent to and affected by said changes; and validating all ordinances by said city heretofore passed in connection therewith."

Have had same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass, and, being a local bill, that it be not printed.

DAVIS, Chairman.

TWENTY-SECOND DAY.

Senate Chamber,

Austin, Texas..

Monday, May 14, 1923.

The Senate met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor T. W. Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Cousins.
Baugh.	Darwin.
Bledsoe.	Davis.
Bowers.	Doyle.
Burkett.	Fairchild.
Clark.	Floyd.

Holbrook.	Strong.
Lewis.	Stuart.
McMillin.	Thomas.
Murphy.	Turner.
Parr.	Watts.
Pollard.	Wirtz.
Rice.	Witt.
Ridgeway.	Wood.
Rogers.	Woods.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator S. O. O.

(See Appendix for committee reports, petitions and memorials.)

Simple Resolution No. 40.

By Senator Wood:

Resolved that the Senate Chamber be open at 2:30 p. m. May 18, 1923, to the Hon. Aaron Sapiro to address the farmers and business men of this section of the State on the important subject of cooperative marketing of farm products.

The resolution was read and adopted.

H. C. R. No. 11.

The Chair laid before the Senate, H. C. R. No. 11, as follows:

Whereas, Steps are being taken to establish a great State or National park in the Davis Mountains in Jeff Davis County, and

Whereas, There are public school and asylum lands withing said county that will come on the market for sale before arrangements can be made to investigate and outline said Davis Mountain Park site, and

Whereas, If the said lands should be sold by the State while inspection and plans for establishing said park are in progress parties would probably buy said lands with a view of profiteering on said park;

Therefore, Be it resolved by the House of Representatives, the Senate concurring, that the Commissioner of the General Land Office is hereby authorized and directed to withhold sale of the public lands within Jeff Davis County until January 1st, 1924, and if in the meantime a State Park Committee should outline an area for a Davis Mountain Park the Commissioner of the General Land Office is authorized and directed to withhold

the sale of all public land within said designated area until January 1, 1926.

The resolution was read.

Senator Darwin offered the following amendment to the resolution:

Amend H. C. R. 11, by striking out the figures "1924" and inserting in lieu thereof the figures "1925."

The amendment was adopted.

The resolution, as amended, was then adopted.

Local Bills.

Senator Wood moved that only local bills be considered at the morning session this morning and the motion prevailed.

Special Committee Appointed.

Senator Clark moved that the Chair appoint a special committee of three Senators to make a financial statement or estimate of amount of appropriations made by the present Legislature and the expected amount of revenues to be collected by the State.

The motion prevailed.

The Chair announced the appointment of the following Committee in accordance with the above motion: Senators Witt, Wood and Wirtz.

S. B. No. 9—Reset as Special Order.

On motion of Senator Bailey, S. B. No. 9, which was set as a special order following the morning call today, was set as special order for this afternoon, immediately upon convening, and that no other matters be considered until the same is disposed of.

S. B. No. 6—Reset as Special Order.

On motion of Senator Murphy, S. B. No. 6 was reset as a special order for this afternoon following the disposition of S. B. No. 9.

Executive Session Reset.

On motion of Senator Bailey, the executive session set for 11 a. m. this morning to consider appointments

by the Governor, was postponed until 11 a. m. Tuesday.

Report of Special Tax Committee.

Senator Pollard presented the following report, which was ordered printed in the Journal:

Committee Room,

Austin, Texas, May 14, 1923.

To the Honorable T. W. Davidson, President of the Senate.

Sir: We, your Committee on Tax Investigation as provided for in Senate Resolution No. 12, have had the question of inequality of taxation under investigation and consideration and report that we find inequality of taxation in every town, city and county in Texas without exception. Your committee did not feel it should conduct an expensive investigation and hence invited before it only such persons who desired to give valuable information without extra pay to the State.

Upon invitation, Hon. Fred W. Cook, President, Texas Tax League along with Judge Mourson, Judge I. E. Burney, Judge Waverly Briggs, and Mr. M. C. Richoly and Secretary J. B. Carrigan of the Texas Tax League appeared before your committee and made a written report shown as exhibit A of our report in which they withdrew their statements that the counties in Texas who received more money from the State Treasury than they paid in were tax dodging counties.

Exhibit B is a copy of a letter written by the Texas League for Equal and Uniform Taxation, January 4, 1923, signed by Ernest Stevens, Vice-President, and John G. Willacy, Manager, in which they assert that gross inequalities exist in various counties in Texas because some receive more money back than they pay into the Treasury and others pay in more money than they get back. In Senator Willacy's report as Tax Commissioner for 1922, he portrays his theory by issuing a bulletin showing how much each county paid into the Treasury for the years 1920, 1921, and 1922, showing the excess some counties received over amount paid in and the excess other counties paid in over amount received, without going further into the proposition. Although he said no more, this bulletin has been the source of creating much friction

over the State without making any comparison of tax renditions over the State or even mentioning tax renditions in the report.

Exhibits C and D are articles written by Col. T. N. Jones, Tyler, Texas, which deals with the theory that number of scholastics, population, concentration of wealth, percentage of property renditions, personal and real, tangible and intangible, and various other factors in our State Government, must be considered along with the amount of money paid into and received from the Treasury of Texas, in order to determine whether any county was paying her part of taxes.

Exhibit E is a compilation of data affecting adjoining counties in different section of Texas where one county receives more money than it pays into the Treasury and where another county pays more than it receives from the Treasury. No effort is made to make comparisons between these counties, but it left for each Senator to draw his own conclusions therefrom. Your committee has received letters from each tax assessor in Texas showing the percentage of rendition on real property, banks, personal property, and farming lands and is turning such information over to the Tax Commissioner.

It is the opinion of your committee that inequality of taxation exists in every county of Texas but that land is paying more than its just proportion of taxes, and that there is vast amounts of property escaping taxation which should be forced to be rendered, and urge the Tax Commissioner to assemble such information in his next report as to show taxable values escaping taxation, and the actual and rendered values of every county in the State of Texas so that the Thirtieth Legislature may be in position to make adequate laws to the effect that taxation shall be equal and uniform.

POLLARD, Chairman.
STRONG.
FAIRCHILD.

Exhibit A.

Gentlemen of the Committee:

You have summoned us here to get such information as we have been able to gather on tax inequalities in Texas. The Texas Tax League is an organization of citizens, duly chartered under the laws of this State, for the purpose of studying problems of taxation, and educating our people in

sound and correct principles of taxation, as far as we are able to understand them, for the purpose of bringing about uniformity and equality in taxation throughout the State. The membership of the Texas Tax League comprises the ordinary run of business men in Texas towns and cities, bankers, merchants, lawyers, etc. Our hope is to get the average Texas citizens interested in the great basic problem of taxation.

We assume that your committee is charged with the duty:

1. To find out if there is inequality in taxation in Texas.
2. To decide whether that inequality, if it exists, constitutes a wrong and an injustice.
3. If so, to recommend some course of action to remedy the situation.

In this State, as in every other state, where the county assessment is also the State assessment, there have grown up inequalities of assessment, making inequalities in taxation. In thirty-four states in the Union, State tax boards or State boards of equalization have been constituted and charged with the task of sitting as boards of equalization, as between counties, just as our commissioners' courts sit as boards of equalization, as between individuals, in the counties. In eleven states there has been adopted a system of separating the taxables for state taxation from those for county taxation, so that one class of property pays the State taxes, and another pays the county taxes.

Three states only, Texas, Florida, and Rhode Island, still adhere to the practice of leaving assessments entirely in the hands of the county assessors without State supervision. It is inevitable in a State, the size of Texas, that where the assessment for State taxes is left to 252 separate county assessors, and county boards of equalization, each acting independently, that there will grow up glaring inequalities in assessments and hence in taxation.

The county assessor, while recognized in the Constitution as a State officer, is elected by the county, and in his assessment, he considers naturally, the needs of the county, not those of the State. Progressive counties building roads and bridges, maintaining hospitals, etc., requiring bond issues, necessarily must make a high assessment and maintain such values in order to validate these bond is-

sues. Counties with fairly developed taxable values, making relatively few public improvements, with small bond issues, if any, can maintain low values and reduce them from time to time. So these counties pay relatively smaller taxes to the State.

This is the situation that has developed in Texas. Public attention was first called to it strongly in Governor Sayers' administration, when a commission was appointed to investigate and report. The findings of the commission, of which Governor Colquit was a member, established in the public mind, the conviction of a great and growing inequality in taxation in Texas.

Nearly all of the State Comptrollers and State Tax Commissioners of recent years have strongly called attention to the inequalities in taxation as between the several counties of Texas. These are the men that handle the books and accounts of our State, and are in the best position to know the facts. To avoid tediousness, I shall quote from only a few of the recent ones:

Comptroller H. B. Terrell, in 1918, in his annual report has this to say of tax inequality in Texas:

"A careful inspection of the tax rolls from the various counties, on file in this department, shows that the taxable valuations between counties is by no means equal and uniform upon all citizens of the State. I find that some counties are rendering their property at only about one-fourth of the actual valuation, while other counties are rendering as high as fifty per cent of the actual valuation. This, in my opinion, is brought about by the fact that some counties in their effort to escape payment of State tax, levy a very high rate for county government and permit the citizenship of the county to render their property at a low value, in order that they may escape the payment of State tax."

"The Constitution of the State declares for 'equal and uniform' taxation, and declares that 'the Legislature shall provide for the equalization of taxes as between counties.' And yet we find the most glaring inequalities existing in every section of the State."

And then a little further on, in his report, Comptroller Terrell says:

"That a State Board of Equaliza-

tion should be created for the purpose of equalizing the burdens of government can scarcely be denied, and as long as the Legislature continues to ignore the mandates of our organic law, just so long will we be advertised to the world as the greatest tax dodgers among all the states of the American Union."

In his report of 1920, Comptroller M. L. Wiginton, says:

"Provision for the equalization of taxes should be provided for, as required by our Constitution. Article 8, Section 18, provides that: 'The Legislature shall provide for equalizing, as near as may be, the valuation of all property subject to or rendered for taxation, (the county commissioners' court to constitute a board of equalization); and may also provide for the classification of all lands with reference to their value in the several counties.

"The present statutory provisions for the purpose of equalization to taxation has not brought about the desired result and gross inequalities is shown by the tax rolls of this State now on file in this department.

"I suggest that a probable solution would be the creation of a 'State Board of Classification' as provided for in the above quoted article and section of the State Constitution. Their duties could be prescribed under constitutional authority and provisions made for certification to the county board of equalization, and prescribe their duty in regard to such classification. They are also a Constitution board but on account of being with limited territorial jurisdiction cannot procure the necessary information for general equalization of taxable values as between counties but can only equalize taxation in their respective county."

State Tax Commissioner John G. Willacy in his report of January, 1922, has this to say:

"There exists, however, an urgent need of definite standards based in uniform percentages of true value operating alike in all counties of the State. In some counties property is being assessed upon 15% of true value; in other counties upon 20 to 40%. It calls for no great knowledge of mathematics for us to understand that a property assessed at 20% of true value pays just one-half the tax as does another property,

though of the same true value yet located in another county where it is assessed upon 40%. This very condition prevails throughout the State. By proper legislation such inequalities should be corrected. This cannot be done and at the same time repose authority in two hundred and fifty-two separate agencies each in his own county acting independently of all others, and indeed, independent of the State. Guided by local expediency rather than by the needs of the State there can be but one result; the State itself, sovereign in all things else, stands helplessly by waiting to receive, not that which is legally and rightfully due it, but such as its political sub-divisions choose to allow it. States may not maintain their sovereignty and at the same time surrender their fundamental power to political sub-divisions, themselves created by the State."

The Tax Assessors' Association in convention in Austin in December of 1922, passed resolutions on tax inequalities in Texas which read in part as follows:

"Whereas, Taxes should be levied with impartial justice to all and as declared by our State Constitution, all property should be taxed in proportion to its value, and

"Whereas, Experience covering long years conclusively proves that so long as it is the policy of the State to repose separate authority in 250 county tribunals in the assessment of taxable property, each acting independently of the other, present inequalities are certain to continue, and therefore be it

Resolved, That the State tax assessors, in convention, do hereby favor a State Tax Commission, upon which the Legislature should confer authority to equalize assessed valuations on taxable property between the several counties to the end that, as near as may be, taxation shall be equal and uniform as guaranteed by the organic law of our State."

Governor Pat M. Neff in a speech on Taxation in Texas, delivered at Fredericksburg, December 22, 1922, says these ringing words:

"The Constitution of Texas declares that 'Taxation shall be uniform and equal.' Under our present system or lack of system they are neither. We

really have no tax law in Texas worthy of consideration. Our laws make the payment of taxes so unfair and unequal, that it is repulsive to every sense of right. It requires no mathematician to calculate that the taxable property in one county, assessed at 45 per cent of its true value, pays annually into the State Treasury just three times the amount of taxes as is paid by taxable property assessed in another county at 15 per cent, although of equal value. Yet this condition prevails throughout the State, and is not the exception."

The Democratic party, assembled in State convention at San Antonio in September, 1922, after due consideration of tax inequalities in Texas, put this plank (No. 24) on its State platform:

"The Democratic party of Texas in the matter of taxation stands for equal and exact justice to all. It has consistently stood for the minimum of tax burdens essential to the efficient administration of the public service, and it is our belief that the next Legislature of the State of Texas should undertake through the means of a distinctly State agency the equalization of tax renditions among all the counties of the State."

Confronted with this mass of testimony from those in high official position, men that we have every reason to believe entirely disinterested and impartial, we made some first hand investigations of conditions in a number of counties. Consultation with a large number of tax payers in Bexar County brought out the fact that real estate and all other forms of property, except bonds, are assessed at about 45 per cent of value, banks are assessed at 75 per cent. In Harris County we found that property is assessed at from 40 to 45 per cent of value, and banks at 70 per cent. In Jefferson County, the assessments range from 60 to 65 per cent. In Dallas County, assessments are based on 50 per cent of value. In Tarrant and Wichita Counties at 66 2-3 of value. Those figures we were able to verify from minor officials in the courthouses. We did not seek to pin down the tax assessors or county judges, for obvious reasons.

Approaching the subject from another angle, that is by taking the returns of value on land as given the United States Government for the census of 1920, and the assessments placed on these lands for taxation as

shown in the Comptroller's report for 1921, we find that the assessments for taxation range from 14.3 per cent of value to 89.5 per cent, nor are the low assessments confined altogether to those counties who receive from the State Treasury a larger sum than they pay to it. We mention several groups of counties that adjoin each other, not for the purpose of invidious comparisons, but to show the existing inequalities in assessments according to the statements of their own people.

Denton County valued its land in the U. S. census of 1920 as \$81.66 and assessed them in 1921 at \$17.98, or 22 per cent of value.

Tarrant County valued its land in the U. S. census of 1920 at \$91.76, assessed them to Texas in 1921 at \$35.88, or at 38.8 per cent of value.

Aransas County values its farm lands to the U. S. census of 1920 at \$6.71, and assessed them to Texas at \$6.00, or at 89 1/2 per cent of value.

Refugio County, adjoining, values its lands to the U. S. census of 1920 at \$41.40 and assesses them at \$7.05, or at 17 per cent of value.

San Patricio County puts a value on its farm lands in the U. S. census of \$60.14, and assesses them at \$9.23, or at 15.3 per cent of value.

Bell County assesses its farm lands at \$78.91 in the U. S. census of 1920, and assesses them in 1921 at \$22.66, or 28.7 per cent of value.

Williamson County, adjoining, values its farm lands at \$81.95 per cent per acre in 1920 U. S. census, and assesses them in 1921 at \$34.46, or at 42.2 per cent of value.

These concrete examples are sufficient to show that there are inequalities in assessment and in taxation in Texas.

As a result of the evidence submitted, we became convinced that our Governor and other State officials of this and preceding administrations were correct, and we too became convinced that the tax system of Texas is wrong in theory and grossly unjust in application. We determined to seek a reform of this tax system; and to secure that result it was necessary to show the unjust workings of that system. It has been suggested that in so doing, we have attacked certain counties in Texas.

At this point, we desire to say most emphatically, that it was not our intention to slur at or offend the people of those counties, who

get back out of the State Treasury a larger sum than they pay into the Treasury in Texas. We know the people in those counties to be as honest and as upright as the people in any other part of Texas. If they are beneficiaries of our present tax system, we know that as far as the people of those counties are concerned, it was as accidental and unintentional on their part as the overpaying of taxes by certain other counties is unintentional and involuntary on their part. If in the use of the term "tax dodging" we have given offense to those good people of Texas, we gladly withdraw that term. But in so doing, we in no sense withdraw our statement that the tax system of Texas is wrong in theory and unjust in practice, and forces certain counties to pay relatively higher taxes to the State than certain other counties pay. We believe the existing tax system of Texas is inherently wrong. To quote again the words of Governor Neff: "Our laws make the payment of taxes (to Texas) so unfair and unequal, that it is repulsive to every sense of right."

Since thirty-four states in the Union have passed laws correcting abuses similar to those existing between the counties of Texas; since eminent lawyers say there is no barrier in our Constitution to the correction of this unjust tax system; since we believe that our people and the members of our Legislature are as much lovers of justice and the square deal as the people of other states (if not more so), we have submitted the matter of improving this tax system to them and to you. What we seek is aptly expressed by Governor Neff.

"Let every citizen of Texas pay his taxes on a uniform standard."

Something for the Legislature to do.

Exhibit B.

It requires no mathematician to figure out that a taxable property of the actual value of ten thousand dollars, situated in a county where taxables are assessed at forty-five per cent of true value pays annually into the State Treasury just three times the amount of taxes as is paid by a property of the same

value but located in another county where taxables are assessed at but fifteen per cent of actual worth. Yet, in Texas, these inequalities are the rule and not the exception; they are directly due to the absence of any central authority vested with power to establish and maintain reasonable uniformity of assessments applicable to and operating alike, for purposes of State taxation only, in all counties of the State.

The vice of our present taxing system, or, rather, lack of system, is that in many counties property is rendered at but fifteen per cent, or even less, of value, while in other counties, due to local necessities, assessments range as high as forty to fifty per cent. Inasmuch as the State rate once fixed becomes invariable, the higher assessed counties are automatically penalized.

Careful analysis of our State revenue system will prove no less astonishing than interesting. It will disclose, according to statistics compiled by the Secretary of the State Tax Assessors' Association, which calculations may be presumed to be substantially correct, that one hundred and fifty-four counties of the State are paying annually into the State Treasury approximately three and one-half million dollars in excess of their rightful share of taxes, while ninety-four counties are paying proportionately less than their rightful share.

Among other and numerous inequalities arising from our lax taxing methods, it is worthy of thought that fifty counties, among these some of the wealthiest in the State, reserve back from the State Treasury, in school apportionments and for textbooks, the total of all taxes paid the State for all purposes and in addition thereto a bonus of one million five hundred thirty thousand dollars. This, too, although Section 1, Article 8, of our own State Constitution reads as follows:

"Taxation Shall Be Equal and Uniform.

"All property in this State, whether owned by natural persons or corporations, other than municipal, shall be taxed in proportion to its value, which shall be ascertained as may be provided by law."

Thus it will be observed that, in no uncertain terms, our own organic law lays command upon the Legislature, the only tribunal clothed by the Constitution with power to enact law, to provide a system of taxation under the provisions of which all taxable property in the State, wherever located and with no distinctions as to the character of ownership, shall pay into the State Treasury its equal and rightful share towards the administration of the State government and the conduct of the public schools. Were taxes levied upon a uniform standard of assessed values in all sections of the State as required by the Constitution, the present unequal and unjust distribution of our tax burdens could not occur.

That which Texas needs, and that which the taxpayers should demand, is a State Tax Commission clothed with power to fix standards of values for purposes of State taxation uniform throughout the State. There is no need of rendition of property at full value; there does exist an urgent need of a definite and uniform standard of assessments based on uniform percentages of value. Forty-two States of the American Union have state tax commissions clothed with authority to provide equal and uniform assessments operating alike for purposes of state taxation in all subdivisions of their respective commonwealths. Texas has none. Yet nothing could be required more to emphasize the need of legislative thought and action than the record itself, which discloses so utter a disregard of the plain mandate of the Constitution that "Taxes shall be equal and uniform."

Hand in hand with the problem of unequal taxation, there is with us always the one of excessive taxation. One no less than the other is within the power of the Legislature to control. To avoid excessive taxation, it is necessary only to oppose unnecessary or extravagant appropriations of the public revenues. It is worthy of thought upon the part of the taxpaying public that while the Thirty-second Legislature of 1911-1912 found it necessary to appropriate but \$10,610,371.00 to

meet the general expenses of the State government covering a period of two years, the Thirty-sixth Legislature of 1919-1920, but nine years later, appropriated for the period of two years a total of \$37,318,000.00

In the interest of truth and for the information of the public, it is but just that the attention be directed to the fact that of the total of the appropriations made by the Thirty-sixth Legislature, eight millions were appropriated to supplement the public school fund, leaving net appropriations for general purposes of \$29,318,000.00. Reducing the elements related to our revenue system to percentages, it will doubtless prove interesting to the people of Texas to know that, while during the period 1911 to 1919, the population of the State increased but 35 per cent, yet the appropriations of the State revenue increased 254 per cent.

The Texas League for Equal and Uniform Taxation.

Ernest Steven,
Vice President.
John G. Willacy,
Manager.

716 Brady Building, San Antonio,
Texas, January 4, 1921.

Exhibit C.

Tyler, Texas, February 8, 1923.

The demand for an efficient system of public free schools is the basic cause of the persistent agitation to establish the policy for each county to pay into the State Treasury exactly the amount it draws out.

This demand is the real foundation for the insistence that additional laws should be passed relative to the rendition of property and the equalization of assessments.

The very agencies which in 1908 sought to defeat Governor Campbell for re-nomination because of his advocacy of full and equal rendition of property are now clamoring for such a system.

It was long after 1908 that appropriations from the revenues of the State were made for rural aid and to supplement the available school fund.

The wealth of the State is being concentrated in a few great quarters. It is unwilling to pay the taxes necessary to raise the revenues re-

quired to establish an efficient education system.

Frank A. Munsey delivered an address before the American Bankers Association which has been distributed throughout the country. In that address he said "We produce no labor in this country for the reason that there is no sympathy between the American public school and the pick and the ax. Put a boy through an American public school, whether he is the son of an immigrant laborer or the son of an old line American, the result is the same. He will have nothing to do with labor—and what is true of the American boy is true of the American girl in respect of service."

The concentrated wealth of the country and the industries which it owns desire laborers. Their spokesman, Mr. Munsey, says that the public school system has no sympathy with the pick and the ax, therefore, wealth should not pay taxes for the purpose of financing a great and efficient public free school system.

Propaganda has and is being broadcasted over the State which has for its ultimate purpose the consummation of a plan or system of taxation by which each county will pay into the State Treasury for all purposes just what it receives for all purposes.

It has been and is being presented as a proposition for equal and uniform taxation for all citizens of the commonwealth. It has been and is now being paid for by certain influences which have their residences in the large cities in Texas.

There is an organization, the name of which is "The Texas League for Equal and Uniform Taxation." It has been in existence for several years. It has paid satisfactory salaries to those who manage its affairs and handle its publicity bureau. On January 4, 1921, Earnest Stevens was its vice-president and Hon. J. G. Willacy was its manager. On that day, just before the 37th Legislature convened, it issued an address headed: "Something for the Legislators to do," which address was signed by "The Texas League for Equal Uniform Taxation." Earnest Stevens, vice-president, John G. Willacy, Manager, 716 Brady Bldg., January 4, 1921, San Antonio, Texas."

That address contained in a very condensed form the information elucidated and amplified to some extent in the "Twentieth Annual Report of the Tax Commissioner of the State of Texas for the year 1922" and in certain publicity literature broadcasted throughout the State during the past three months.

Very recently two agents of that organization, Mr. John B. Carrington and Mr. S. A. Richoly, appeared before the Executive Committee of a very important productive organization in the State. They exhibited elaborate statistics, maps, etc., etc., endeavoring to show great inequality and much lack of uniformity of rendition and taxation. They were seeking to procure a resolution in favor of a constitutional convention being called by the 38th Legislature. On being questioned by a distinguished lawyer who was present as a member of that committee it developed that they and others were travelling from place to place seeking endorsement of the proposition for a constitutional convention and for the passage of a bill to create another bureau at Austin to assess and value all property in the State. On being further interrogated it also developed that this campaign was and is being financed by the tax league mentioned above and that the treasury was being replenished from time to time by influences in certain large cities in the State and probably by certain commercial organizations. To state this matter so that no man who can read can misunderstand.

The whole campaign for changes in the Constitution and laws relative to taxation has its origin about or more than four years ago in the organization of "The Texas League for Equal and Uniform Taxation" which league is financed by interests in certain large cities which do not wish their counties to pay more taxes into the State Treasury than their counties draw out of it. That league had paid and is now paying the salaries and expenses of its agents to push this propaganda for certain laws and for constitutional changes so its purposes can be completely accomplished. Some who are aiding in this endeavor have not comprehended and may not be able to comprehend the source of their inspiration to work for the suggested changes in the statutory or organic laws of the State.

In view of the foregoing the following observations are pertinent. In the first place, the propaganda of a particular organization should not be accepted and used by public officials without absolute knowledge as to its purpose. The people should know exactly who is paying the expenses of the persistent campaign which has been and is being waged for the statutory and constitutional changes. The greatest publicity should be given as to who have been and are on the pay rolls of "The Texas League for Equal and Uniform Taxation." Who are the lobbyists at Austin now for that organization? How much money has that organization spent and who received it?

The amount drawn out of the State Treasury is based principally on the scholastics and is for financing the schools.

There can be no efficient school system in Texas based on local taxation and on the notion that education is a matter of local concern.

The whole contention in favor of which so much propaganda is being used to the effect that there is great inequality in the taxes paid by different counties means, if it means anything, that each county should pay into the State Treasury exactly what it draws out.

This will lead directly to the establishment of the system of absolute local control and support of the public schools. A system which no informed citizen favors if he desires an educated citizenship.

A county which has many school children will draw out large amounts and one which has few will draw out small amounts. If a county must pay in as much as it draws out then the school fund drawn out will just equal what is paid in, and we will have a public school system based entirely on local support.

Much has been spoken and written recently about Dallas, Tarrant, McLennan, Bexar, El Paso, Harris, and Jefferson Counties paying about \$1,600,000.00 more money into the State treasury than they draw out of it.

There are two fundamental reasons for this. One is that there are fewer children in the cities than in the rural counties. Modern ingenuity and the desire to escape the responsibility of raising and caring for child-

ren has decreased the birth rate in the cities. In the country there are large families and multitudes of children. In Dallas there is one scholastic to 4.5 population. In Houston County there is one scholastic to 2.8 population. The average in the counties where there are large cities is about one scholastic to 4.4 population. In the rural counties the average is about one scholastic to 3.3 population.

The other reason is that the concentration of wealth is rapidly taking place in this State and there is no corresponding development and growth in the rural counties. The counties around Dallas and Tarrant Counties are probably not as wealthy as they were ten years ago. During the past ten years those counties by reason of the cities of Dallas and Fort Worth being located therein have very largely increased their property and have practically doubled their population. The inhabitants of all the counties in that productive section have made the money which has aided in building those great cities. Practically all of that which they did not get from adjoining counties they raked in from the sandhills of East Texas.

The same condition exists around practically every other city in Texas.

A careful analysis of the amounts paid in and received will show the utter fallacy of the contention which is being distributed over the State about unequal distribution of tax money in certain East Texas counties.

Every county which borders on Dallas and Tarrant during the past two years has received more than it paid in.

Johnson	\$ 73,510.17
Parker	79,724.03
Wise	67,683.56
Denton	96,972.29
Ellis	149,515.00
Kaufman	102,137.57
Rockwall	22,829.00

The same is true as to those counties adjoining McLennan, in which Waco is situated.

Coryell	\$101,637.20
Hill	72,619.88
Limestone	142,786.00
Falls	131,010.78
Bell	125,194.08

There is no special locality in which the amounts received by a county is in excess of that paid in, with the exception of the counties in which the wealth is concentrated, the excess amounts received or paid in by counties change as the scholastic population changes.

As a further demonstration of the situation throughout the State the facts show that among others the following counties, in different sections, during the past two years received more money than they paid in:

Jones	\$82,210
Fisher	41,666
Mitchel	10,221
Taylor	62,788
Howard	11,908
Haskell	40,974
Hale	22,224
Nolan	8,136
Stonewall	19,627
Scurry	26,468
Runnels	42,663
Donley	1,377
Karnes	35,488
Hidalgo	132,500
LaSalle	3,640
Duval	12,686
Bee	12,953

In 1919 all of the above counties just named, except Jones, paid in more money than they received. As the population and children increased in numbers and the school appropriations grew higher, the money received increased. Just here may we inquire why was it that for purposes of comparison with Dallas, Tarrant and others only East Texas counties were selected instead of taking some of the great counties adjoining Dallas and Tarrant?

The following shows some of the conditions which exist growing out of lack of population:

	Scholastics.
Andrews County has	61
Bailey County has	188
Culberson County has	169
Ector County has	171
Hansford County has	180
Hockley County has	26
Loving County has	24
Winkler County has	11
Moore County has	72
Reagan County has	88
Upton County has	60
McMullen County has	163
Cochran County, 1922, had	2
Cochran County, 1921, had	none
Fourteen counties	1,215

These statistics are from the Public School Directory for 1921-1922.

Each of these counties, with the exception of Culberson, which has 2,384,958 acres, has about as much acreage as Dallas and others which have thousands of school children.

According to the propagandists for equal taxation—that is for each county to pay in what it draws out—Loving County should pay in \$240.00 and draw out that amount, Cochran County pay in \$20.00 and draw out \$20.00.

This year unsettled counties may be paying in more money than they receive. Next year the discovery of oil, or gold, or silver, or phosphates, or what we now term the iridescent dream of the reclamationist, may become a solid fact and the waste may all be turned into the habitation of beautiful towns and villages; the playgrounds of the jack rabbits and howling places of the coyote may resound with the songs and laughter of tens of thousands of intelligent children, who will become the basis of accounts against the State for funds to pay for educational advantages, then the same "Texas League for Equal and Uniform Taxation" will be sending its agents over the State to show that Andrews, Bailey, Culberson, Hansford, Loving, Winkler, Moore, Upton, Cochran, Crane, and other counties are paying in less than they receive and that there should be some new plan for distributing the tax burdens.

From the foregoing and many other illustrations which could be used, it can be shown that the amount of money drawn out by the different counties is constantly changing and as a county becomes thickly settled its scholastic increase and it changes from a county which pays in more than it receives to one which receives more than it pays in.

West Texas Counties
(Assessed Valuation per Acre)

Andrews	\$ 2.50
Brewster	1.09
Crane	1.00
Crockett	1.52
Culberson86
Hudspeth	1.06
Pecos	1.99
Terrell	1.18
Val Verde	1.42
Winkler	1.16
Baylor	8.57
Callahan	7.99
Childress	6.96

The same influences have persistently urged unequal renditions and lack of uniform taxation.

There may be some equalities but there are no more now than there will be when the million dollar tax assessment machinery is installed in Austin to fix the rendition of the property throughout the State.

The following is the valuation of lands for some of the counties in Texas for 1922:

Tarrant	\$35.58 per acre
Johnson	22.84 per acre
Parker	10.80 per acre
Wise	11.83 per acre
Denton	17.98 per acre
Elliis	35.85 per acre
Dallas	26.44 per acre
Kaufman	21.40 per acre
Collin	32.12 per acre
Rockwall	32.32 per acre
Bell	26.07 per acre
Williamson	26.77 per acre
Bexar	22.66 per acre
Guadalupe	19.81 per acre
Wilson	11.64 per acre
Atascosa	10.11 per acre
Harris	31.97 per acre
Waller	10.09 per acre
Montgomery	7.05 per acre
Van Zandt	11.60 per acre
Smith	7.83 per acre
Wood	8.44 per acre

One familiar with the lands in the counties named knows that the general average throughout all of them is about as fair as it is possible to make it. They know, too, that the valuations in East Texas are above the average and not below.

I have carefully examined the tabulated statements published recently by State officers and in order to further present the exact situation so that one can see it, without wading through the report, the assessed valuations are paralleled in a number of West Texas counties:

East Texas Counties
(Assessed Valuation per Acre)

Anderson	\$ 7.95
Angelina	12.79
Camp	11.95
Franklin	10.02
Bowie	9.41
Hopkins	9.32
Wood	8.44
Van Zandt	11.60
Cherokee	8.77
Upshur	8.87
Trinity	6.70
Smith	7.83
Shelby	7.34

East Texas Counties (Assessed Valuation per Acre)		West Texas Counties (Assessed Valuation per Acre)	
Clay	10.85	Rusk	7.42
Cottle	8.34	Rains	12.46
Lubbock	10.65	Panola	10.00
Fisher	6.86	Gregg	12.40
Hale	8.25	Nacogdoches	8.45
Hall	8.00	Morris	8.69
Hardeman	10.18	Marion	6.74
Haskell	8.69	Henderson	8.70
Jones	11.65	Harrison	7.95
Mitchell	6.29		
Runnels	7.40		
Taylor	9.08		
Wilbarger	13.44		

The foregoing statements show the assessed valuations of lands per acre in typical counties in West and in East Texas. From personal knowledge of the average valuation of land in East Texas, we know that no man or set of men in the State can come nearer a fair average assessment than is shown by this list. There may be some very slight inequalities. From personal observations in many of the counties in West Texas and from inquiry throughout some years, I know that I am within the facts when I state the average general valuation is fair to that section and to the whole State and the truth is that East Texas assessed valuations are higher than the general average throughout the State.

I challenge some one who knows what he is talking about to deny the correctness of these statements. So far as the Central Texas counties are concerned, while there is in some of them land which is now worth one hundred (\$100.00) dollars to one hundred and twenty-five (\$125.00) dollars per acre, there are tens of thousands of acres in each which are unfit for cultivation and are below the average assessed value. It would take too much space to go into a detailed explanation as to each county but the residents of these counties know that my statements are practically correct.

Williamson and Bell counties have been used as shining illustrations of the injustice of our tax situation and as an argument for a change in the Constitution or the Statutes of the State. The statistics used in reference to these counties show two things. The entire lack of accurate information in regard to conditions and the reckless manner in which the advocates of proposed legislation present statistics which mislead those who accept them as true. The proper analysis of these two counties also

demonstrates the truth of the statement made in the first part of the paper that practically the whole controversy hinges on the scholastics and on the proposition that each county must pay in the amount it draws out.

Bell county has 569,400 acres of land assessed in 1922 at \$24.85 per acre or a total value of \$14,150,825.00. Williamson County has 713,097 acres of land assessed in 1922 at \$25.45 per acre. A difference of only sixty cents per acre over Bell county. It has 143,688 acres more than Bell. Based on the difference in quantity of land, its rendition should have amounted to \$3,657,859.60 more than Bell. For 1922 Bell County's rendition was \$31,423,140, or only \$1,268,834 more than Bell County's. What Bell lost on land by reason of having less than Williamson, she gained in rendition of personal property.

Let us examine the Bell-Williamson statistics. For the fiscal year beginning September 1, 1921, and ending August 31, 1922, based on the assessments for 1921, Bell county was assessed \$30,992,150 and Williamson county \$32,295,410, a difference of \$1,303,260 more for Williamson than for Bell. Bear in mind that the former has 143,688 acres more than the latter.

For the fiscal year 1921-1922 the one used for public consumption and for the information of the Legislature, based on the above rendition and in addition on poll and occupation taxes, the Comptroller charged Bell County with \$234,186.97 and he charged Williamson County with \$248,106.52. The county collector of Bell County paid in \$184,183.30 and that of Williamson paid in \$225,383.86. It thus appears that

the collection of taxes and not the uniform and unequal valuation caused the difference.

There were in Bell county in 1921-1922, 14,088 scholastics and in Williamson 11,827. Those children constituted the basis of the accounts by those counties against the State and of the amount of money received by each of them from the State.

From the foregoing it appears conclusively that the renditions in Bell and Williamson were just about on an equality and that there can be no complaint from anyone so far as those assessments are concerned, unless such complaint arises out of the view that each county shall have a school system of its own and educate the children found therein.

There is abundant written evidence to show that such a disastrous fallacy, to say the least, has heretofore been accepted by some of the persistent advocates of the equal and uniform taxation scheme.

Cottle county is named as one of the localities where an injustice is inflicted. Where is it? In that section where the cotton industry is most rapidly developing. It is surrounded by Hall, Childress, Hardeman, Ford, Motley. It has a railroad through it. Two rivers traverse it. It has in it tens of thousands of acres of productive cotton and grain land. It is growing in population. In 1919 it had 1494 scholastics; in 1921 it had 1935.

Upshur County has been mentioned. Its renditions are higher than the actual value of her lands justify. They are assessed at \$8.87 per acre. Cottle at \$8.34. I have personally observed every part of Upshur county. I know that the rendition is not too low and from the most reliable information at hand I know, too, that Cottle county is not much, if any, too high. There is in Cottle county 584,447 acres of land; in Upshur county, 383,999. In Cottle 1935 scholastics, and in Upshur 7,163. In 1921 Upshur was due the State \$60,880.88 tax money. That year it paid \$33,798.39. It was delinquent one-half its amount due. I know the conditions in that county. I shall not describe them. But I will not refrain from expressing the view that it is a peculiar brand of statesmanship which will use the misfortunes of a good but poverty-

stricken citizenship to support a proposition which means that education will be denied to the children of such a locality.

This idea of absolute equality and uniformity of taxation is recognized as an impossibility by every intelligent county and government on earth. It can at best be only approximated. It is about as near adjusted in Texas as it will ever be.

The whole argument is based on the unequal amounts paid in and received by different counties and on that other and utterly fallacious notion that the wealth concentrated in the cities of the State should not assist in paying for the education of the children in those counties where there is little wealth and many children. If the proposition of such is adopted we are driven immediately to the adoption of the indefensible doctrine that education is a matter of local concern and local support.

There is one other view of this matter.

The effort is to create another board or to enlarge one already in existence to fix the valuation of the property in the counties. It will be necessary to add another wing to the Capitol to house the appraisers of property throughout the State. More than three will be required to do the work. It cannot be done by three men in their offices at Austin. It will be necessary to have experts to examine each tract of land and determine its value. Two illustrations: In Wise County there is land worth not over eight dollars an acre. Within one hundred yards of that land there is land worth one hundred and fifty dollars per acre. In Smith County there are in cultivation hundreds of tracts of land not worth over ten dollars per acre within three hundred yards of many of these tracts there is land worth forty dollars per acre.

This is true all over the state. The diversity and change of value is true in the cities as well as in the rural districts. It is not only true of real estate, but it is true of personal property. There is such diversity of value that a personal examination by some expert will be necessary to determine the value of each piece of property.

There may be some erroneous assessments, some injustices; but a careful consideration of all the available data furnished by those State officers who

have made their reports for the past two years and from other sources will satisfy anyone that the renditions as a whole are just as fair and equal as they can ever be.

There may be some reasons for complaint that the rendition in the large cities of the State where there are tens of millions of value covered so as to escape taxation, and where there are hundreds of millions of intangibles which should be brought to light and made to pay their just proportion of the burdens of government. It is absurd to claim that counties which have more than forty millions invested in automobiles should have such low valuations as do some counties for taxation purposes.

The Legislature might with propriety appoint a commission to make a thorough investigation of all property and incomes in the cities and see to it that the wealth which has been dug out of the soil of Texas by the women and children and concentrated in the cities is taxed so that it will in some degree help to educate the children of the tenants and paupers throughout the State.

T. N. JONES.

Exhibit D.

May 1st, 1923.

Hon. Thomas Pollard,
Chairman of Senate Committee under
Resolution No. 12,
Austin, Texas.

My Dear Sir:

Herewith I am enclosing to you a carefully prepared statement in regard to the propaganda for the establishment of a system by and through which there may be equal and uniform rendition of the property in this State. This statement was prepared with some care from data obtained from the Annual Report of the Comptroller of Public Accounts for 1922, Bulletin No. 139, Public School Directory, issued by the State Department of Education, 1921-1922, and the Bulletin for the previous year, of a similar nature, from the Thirteenth Annual Report of the Tax Commission of the State of Texas for the year 1922, and from Texas, Rand McNally Index Pocket Map issued, I think, in 1923, and from such other sources as were available to me at the time of its preparation. I offer this for introduction in the record.

I presume that every intelligent,

right-thinking citizen in this State is in favor of equal and uniform taxation, although a system by which exact equality and uniformity in taxation may be had is a dream and will never be established. There are two or three matters to which I call your special attention. Stripped of all utterly useless verbage and misrepresentation, coming directly to the issue involved in the whole controversy, as I understand it, it is this: That certain counties in the State where enormous wealth is concentrated are paying into the State Treasury through taxes more money than those counties are drawing out. In addition to those wealthy counties which pay in more than they draw out, there are certain very thinly populated counties which pay in more money than they draw out. When properly analyzed and thoroughly understood, it is not a question of unequal and unjust taxation, but a question of concentration of wealth in a few counties and the number of scholastics in all the counties. The money paid into the State Treasury is based upon property values and the money drawn out of it is based on the number of scholastics.

Those who are handling the propaganda in this matter evidently entertain the view that the education of the children of the State is a matter strictly of local or county concern, and that each county in the State should pay into the State Treasury exactly the amount drawn out, and which ultimately will result in each county being compelled to entirely finance its public school system. To be frank with you, and to state it mildly as my conviction will permit, the doctrine that education is a matter of local concern is the most iniquitous which now affects and confronts the public school system of this State. So far as education is concerned, there are absolutely no lines, no school districts; but there is one district and that district is composed of the entire State of Texas. The subdivisions, which we call common or independent school districts, are convenient arrangements for the establishment of such a system as contemplated by the Constitution.

There are two fundamental reasons why Dallas, El Paso, Fort Worth, Waco, San Antonio, Houston, Beaumont, Amarillo, and probably other cities, pay into the State treasury more money than they draw out. One of them is that during the past fifteen or twenty years the wealth of the

State has been largely concentrated in those cities; and the other is that the ratio of scholastics to the population in the cities runs about one to 4 4-10 of the population, and in the thickly settled counties where there are no cities it runs about one to 3 3-10 of the population. We have reached that stage in our civilization where there are very few large families in the cities. To illustrate, in Houston County the ratio of scholastics to the population is one to 2 8-10, and in one or two of the cities in the State the ratio is one to about 5 5-10; but I think the above estimate is about correct that the ratio in the rural counties is one to 3 3-10, and in the cities one to 4 4-10. If those Representatives in the Legislature, and those who are in charge of the agitation for equal and uniform taxation have in mind that each county must pay into the State treasury the amount it draws out, then there is nothing for right thinking people to do except to organize to destroy, root and branch, their contention, because it will result ultimately in the absolute destruction of any satisfactory public school system in this Commonwealth.

Passing to another matter, after carefully examining many of the illustrations used by the propagandists, my deliberate conclusion is that the very counties which are mentioned as "slacker" counties, are paying much more taxes than those which are held up as illustrations of great generosity to the State in paying into the treasury more than they draw out. To illustrate: there appeared in one of the daily papers recently a criticism of Hopkins County and a comparison of Hopkins with Potter County. The facts are that Potter County property is rendered very much lower in proportion to its value than property in Hopkins County. The lands in Potter County are rendered at \$5.00 per acre; in Hopkins County at \$9.32. Land in Potter County on the average is, more valuable than the lands in Hopkins County. The horses and mules in Potter County are rendered at \$19.23 per head; in Hopkins County, at \$30.52. The dogs in Potter County, at \$10.00 per head; in Hopkins County, at \$50.00 per head. The bank stock, capital and surplus, in Potter County, is rendered at about 40 per cent; in Hopkins County, at about 69 per cent, capital and sur-

plus. Included in the Potter County assessment is the intangible assets of railroads, \$1,031,724 on 88 63-100 miles; in Hopkins County, \$269,565 on 66 69-100 miles. I could give many other illustrations to show that Hopkins County renditions are far above Potter County's renditions.

When it comes to drawing money out of the State Treasury, the accounts are largely based on scholastics. Potter County has a population of 16,710; Hopkins County has 24,791. Of the population of Potter County, 15,400 are in the city of Amarillo, leaving only 1,216 in the rural districts. There are 9,500 of the population of Hopkins county in the towns and cities, and 25,291 in the rural districts. There are 3,061 scholastics in Potter County, all of which reside in Amarillo school district except 133. There are 10,332 scholastics in Hopkins County, 8,580 of whom, I think, are in common school districts. The scholastics in Potter County run one to 5 45-100 of the population; in Hopkins County one to 3 36-100. There being no rural schools in Potter County, under the law there could be no rural aid. There being many thousands in the rural districts of Hopkins County, rural aid was granted to many districts. It was not unequal and uniform taxation which caused the difference in paying in and drawing out of the two counties; but the unequal number of children in the two counties.

Smith County has been used as an illustration of unequal taxation. I challenge a denial by some truthful man of this statement, that the renditions of property in Smith County, in proportion to values, is higher than in San Antonio, Dallas, Fort Worth or any other city in this State. It is true that Smith County has drawn out of the State Treasury much more money than has been paid into the State Treasury; but, as informed individuals know, a very large percent of the population in this county is negroes. There are 14,270 scholastics, as shown by the report for 1921-1922, of which 6,159 are negroes and 8,111 are whites. This of itself should be sufficient to show the reason why Smith County is paying in less money than she draws out. In Potter County there are only 33 colored scholastics out of a scholastic population of 3,061.

I think that if you and the Committee will ascertain the amount of capi-

tal and surplus of the banks and trust companies in the cities and towns, and then ascertain the amount at which it is rendered for taxation, you will find that Smith and other counties which have been criticised, in the rendition of bank stock are very much higher than in the cities which are financing the campaign for a system of equal and uniform taxation. To illustrate: in this county, the capital and surplus of the banks is rendered at 70 per cent; in Potter County, at about 40 per cent. The capital and surplus of the banks in Dallas County are not rendered as high as that in Smith County.

In the statement which I enclose, I call attention to the references heretofore made to the Legislature in regard to Upshur and Cottle Counties, Williamson and Bell, and other counties throughout the State.

There is one remarkable thing about the question of equal and uniform taxation. There was little agitation with regard to it until the Legislature commenced to make large appropriations out of the general revenue for the public schools; and while there is little public discussion against the appropriations out of the general revenues for the public schools, it is nevertheless a fact that taxes must be collected before the appropriations can be made; and if the tax measures are defeated, then there will be no money to pay the appropriations for the schools. The question thus revolves itself into one of appropriations for the schools, rather than one of taxation.

I hope that your Committee may be able to make such an investigation as will bring about a satisfactory solution of the issue which seems to be somewhat discussed throughout the State.

With kindest regards, I am,
Yours very truly,
T. N. JONES.

EXHIBIT E.

In all counties mentioned below the following expenditures are considered in obtaining the excess paid in over amount received from the

State Treasury, and excess received over amount paid in from the State Treasury for the years 1919-20-21, and are not enumerated under each county:

Scholastic Apportionment 1920-21,

Out of Appropriation for Rural Aid,

Free Text-books,
Accounts, Sheriff, Witness Fees, Etc.;

however, items will be found under each county which are not enumerated above. No comparison of statistics is made, but comparative values of adjacent counties are presented for your consideration. In compiling these statistics, an effort was made to be exact in every detail, comparisons being assembled from reports made by the Tax Commissioner, the Comptroller, the Banking and Insurance Commissioner, the 1920 Census Reports all combined by myself and divisions made by the statistician of the Insurance and Banking Department, Mr. Hammer. It is our purpose to fairly represent each county mentioned in this report and any mistakes will be gladly corrected.

TOMAS G. POLLARD,

Chairman Senate Tax Investigating Committee.

El Paso County.

Land rendered, \$6,629,525.00; per acres, \$12.24; city property rendered, \$47,040.205.00; 1920 census report: land, \$6,691,244.00; improvements, \$892,390.00; total, \$7,583,634.00; per acre, \$30.78; per centage assessment on land, 37.7 per cent; horses, \$25.00; cattle, \$30.00; jennets, \$10.00; sheep, \$5.00; goats, \$3.00; hogs, \$10.00; dogs, ———; vehicles, \$188.39; banks, C. S. & P., actual value, \$5,758,913.00; assessed value, \$946,500.00; deposits, \$29,167,019.00; population (1920), 101,877; scholastics (1922), 26,864; scholastic ratio, 4 to 1; county tax rate, \$0.94.

3 years excess paid in over amount received	\$ 435,459.37
3 years Court Civil Appeals	\$ 69,800.00
3 years School of Mines	254,681.28
	<hr/> 324,481.28
Excess paid in over amount received...	<hr/> \$ 110,978.09

Val Verde County.

Land rendered, \$2,935,575.00; per acre, \$1.43; city property rendered, \$1,526,885.00; 1920 census report: land, \$9,012,090.00; improvements, \$864,685.00; total, \$9,876,775.00; per acre, \$5.30; per centage assessment on land, 26.8 per cent; horses, \$20.00; cattle \$23.00; jacks \$57.00; sheep, \$4.00; goats, \$2.20; hogs, \$3.16; dogs, \$4.90; vehicles, \$169.43; banks, C. S. & P., actual value, \$666,224.00; assessed value, \$541,500.00; deposits, \$2,601,928.00; population (1920), 12,706; scholastic ratio, 5 to 1; county tax rate, \$0.75.

3 years excess paid in
over amount received \$104,275.93

3 years excess paid in over amount received	\$ 138,420.62
3 years eleemosynary institutions	\$ 1,967,495.21
3 years departmental bill	7,774,470.06
3 years Judiciary Department	359,453.00
3 years Court Civil Appeals	67,740.00
3 years University of Texas	4,608,448.02
3 years School for Blind and Deaf	941,941.38

15,719,547.67

Total

\$15,857,968.29

Bastrop County.

Land rendered, \$5,943.165; per acre, \$10.29; city property rendered, \$2,569,015; 1920 census report: land, \$12,026,848; improvements, \$2,217,466; total, \$14,244,514; per acre \$30.79; per centage of assessment on land, —; horses, \$54.28; cattle, \$13.52; jacks, \$75.00; sheep, \$1.50; goats, \$1.55; hogs, \$3.77; dogs, \$23.81; vehicles, \$90.33; banks, C. S. & P., actual value, \$369,564; assessed value, \$324,200; deposits, \$1,249,132; population (1920), 26,649; scholastics (1922), 7,594; scholastic ratio, 3 to 1; county tax rate, \$0.42.

3 years excess received
over amount paid in . . \$73,692.93

Gaines County.

Land rendered, \$2,920,580; per acre, \$3.07; city property rendered, \$211,955; 1920 census report: land, \$5,930,478; improvements, \$196,660; total, \$6,127,158; per acre, \$7.62; per centage assessment on land, 39.9 per cent; horses, \$34.56; cattle, \$15.40; jacks, \$48.75; sheep,

Travis County.

Land rendered, \$13,944,970.00; per acre, \$19.34; city property rendered, \$14,583,693.00; 1920 census report: land, \$30,471,043.00; improvements, \$4,130,035.00; total, \$34,601,078.00; per acre, \$63.52; per centage of assessment on land, 34.4 per cent; horses, \$29.89; cattle, \$14.99; jacks, \$100.00; sheep, \$20.00; goats, \$1.51; hogs, \$5.00; dogs, \$10.00; vehicles, \$100.58; banks, C. S. & P., actual value, \$3,154,684.00; assessed value, \$1,762,687.00; deposits, \$19,096,723.00; population (1920), 57,616; scholastics (1922), 16,297; scholastic ratio, 3 1/2 to 1; county tax rate, \$1.64.

3 years excess paid in over amount received	\$ 138,420.62
3 years eleemosynary institutions	\$ 1,967,495.21
3 years departmental bill	7,774,470.06
3 years Judiciary Department	359,453.00
3 years Court Civil Appeals	67,740.00
3 years University of Texas	4,608,448.02
3 years School for Blind and Deaf	941,941.38

15,719,547.67

\$2; goats, \$2; hogs, \$2.32; dogs, \$20; vehicles, \$264.30; banks, C. S. & P., actual value, \$95,500; assessed value, \$50,000; deposits, \$173,000; population (1920), 1,018; scholastics (1922), 470; ratio of scholastics, 2 to 1; county tax rate, \$0.62.
3 years excess paid in
over amount received . \$42,777.66

Dawson County.

Land rendered, \$2,097,215; per acre, \$3.58; city property rendered, \$342,035; 1920 census report: land, \$8,725,974; improvements, \$790,225; total, \$9,516,199; per acre, \$18.21; per centage of assessment on land, 19.3 per cent; horses, \$23; cattle, \$120; jacks, \$91.66; sheep, \$1.50; goats, \$1.50; hogs, \$2; dogs, \$50; vehicles, \$458.33; banks, C. S. & P., actual value, \$187,277; assessed value, \$87,300; deposits, \$1,046,347; population (1920), 4,309; scholastics (1922), 1,562; scholastic ratio, 3 to 1; county tax rate, \$0.75.

3 years excess received
over amount paid in \$16,131.87

Eastland County.

Land rendered, \$11,044,950.00; per acre, \$29.40; city property rendered, \$14,175,990.00; 1920 Census Report: land, \$6,423,444.00; improvements, \$1,376,613.00; total, \$7,800,057; percentage assessment of land, 72 per cent; horses, \$39.11; cattle, \$16.90; jacks, \$20.00; sheep, \$1.33; goats, \$2.79; dogs, \$2.16; hogs, \$3.84; vehicles, \$193.65; banks, C. S. & P., actual value, \$1,326,294.00; assessed value, \$221,611.00; deposits, \$8,845,398.00; population, (1920), 58,505; scholastics (1922), 9,998; scholastic ratio, 6 to 1; county tax rate, \$1.25.
3 years, excess paid in over amount received\$188,030.97

Erath County.

Land rendered, \$6,552,785; per acre, \$9.79; city property rendered, \$1,957,085; 1920 Census Report: land, \$14,220,266.00; improvements, \$3,095,950; total, \$17,316,216.00; per acre, \$25.57; percentage assessment on land, 38.1 per cent; horses, \$28.13; cattle, \$8.97; jacks, \$49.74; sheep, \$1.74; goats, \$7.0; hogs, \$3.41; dogs, 16.09; vehicles, \$114.12; banks, C. S. & P. actual value, \$416,553.00; assessed value, \$521,045.00; deposits, \$1,099,815.00; population (1920), 28,385; scholastics (1922), 16,830; scholastic ratio, 4 to 1; county tax rate, \$.48.
3 years excess received over amount paid in.....\$106,123.11

3 years excess paid in over amount received	\$	820,353.34
3 years Court of Civil Appeals.....	\$	70,850.00
3 years Grubbs Vocational College.....		343,865.00
		<u>414,715.00</u>

Excess paid in over amount received... \$ 405,638.34

Dallas County.

Land rendered, \$14,822,905; per acre, \$26.71; city property rendered, \$11,617,540; 1920 Census Report: land, \$76,407,965; improvements, \$8,527,530; total, \$84,935,495; per acre, \$168.61; percentage assessment on land, 15.7 per cent; horses, \$52.57; cattle, \$21.98; jacks, \$72.41; sheep, \$1.85; goats, \$1.06; hogs, \$4.08; dogs, \$20; vehicles, \$198.98; banks, C. S. & P., actual value, \$34,632,274; assessed value, \$6,300,900; deposits, \$176,153,324; population (1920), 201,551; scholastics (1922), 51,063; scholastic ratio, 4 to 1; county tax rate, \$.94.
3 years, excess paid in over amount received..\$1,588,133.72

John Tarleton College, Stephenville\$413,910.00

Total \$520,033.11

Parker County.

Land rendered, \$6,414,570; per acre, \$10.80; city property rendered, \$2,257,780; 1920 Census Report: land, \$15,543,181; improvements, \$2,813,705; total, \$18,356,886; per acre, \$34.05; percentage assessments on land, 31.7 per cent; horses, \$45.06; cattle, \$14.24; jacks, \$30; sheep, \$1.51; goats, \$.90; hogs, \$4.99; dogs, \$.9; vehicles, \$109.09; banks, C. S. & P., actual value, \$793,748; assessed value, \$87,300; deposits, \$2,871,409; population (1920), 23,382; scholastics (1922), 6,060; scholastic ratio, 4 to 1; county tax rate, \$1.02.
3 years, excess received over amount paid in\$78,775.09

Tarrant County.

Land rendered, \$18,944,970; per acre, \$35.58; city property rendered, \$69,915,260; 1920 Census Report: land, \$36,276,067; improvements, \$4,830,300; total, \$41,106,367; per acre, \$91.76; percentage assessment on land, 38.8 per cent; horses, \$37.60; cattle, \$19.53; jacks, \$38.57; sheep, \$2.34; goats, \$1.04; hogs, \$2.31; dogs, \$34.44; vehicles, \$234.60; banks, C. S. & P., actual value, \$10,565,897; assessed value, \$3,138,330; deposits, \$61,633,936; population (1920), 152,800; scholastics (1922), 35,457; scholastic ratio, 5 to 1; county tax rate, \$.95.

3 years, Court of Civil Appeals 68,675.00

Excess paid in over amount received\$1,519,458.72

Kaufman County.

Land rendered, \$10,679,275; per acre, \$21.40; city property rendered, \$3,639,620; 1920 Census Report: land, \$47,816,610; improvements, \$5,048,547; total, \$52,865,157; per acre, \$120.15; percentage assessment on land per cent; horses, \$21.06; cattle, \$12; jacks, \$100; sheep, \$2.56; goats, \$1; hogs, \$4.89; dogs, \$23.33; vehicles, \$81.86; banks, C. S. & P., actual value, \$2,660,460; assessed value, \$1,274,650;

deposits, \$6,489,851; population (1920), 41,276; scholastics (1922), 11,619; scholastic ratio, 4 to 1; county tax rate, \$.45.

3 years, excess received
over amount paid in...\$ 84,688.07
3 years, North Texas Hos-
pital for Insane, Terrell 1,327,500.00

Total\$1,412,188.07

Hopkins County.

Land rendered, \$4,657,050; per acre, \$9.32; city property rendered, \$1,813,700; 1920 Census Report: land, \$25,325,881; improvements, \$5,391,488; total, \$30,717,369; per acre, \$63.68; percentage assessment on land, 14.6 per cent; horses, \$30.52; cattle, \$10.15; jacks, \$81.53; sheep, \$1; goats, \$.97; hogs, \$5.85; dogs, \$.50; vehicles, \$48.08; banks, C. S. & P., actual value.....; assessed value,; deposits,; population (1920), 34,791; scholastics (1922), 10,333; scholastic ratio, 3 to 1; county tax rate, \$.70.

3 years, excess received
over amount paid in \$303,932.23

Cass County.

Land rendered, \$3,639,330; per acre, \$5.74; city property rendered, \$579,695; 1920 Census Report: land, \$10,076,604; improvements, \$3,334,396; total, \$13,411,000; per acre, \$23.47; percentage assessment on land, 23.4; horses, \$5.01; cattle, \$3.10; jacks, \$.50; sheep, \$1.55; goats, \$.50; hogs, \$.4; dogs, \$.20; vehicles, \$.69; banks, C. S. & P., actual value, \$618,750; assessed value, \$360,000; deposits, \$2,169,400; population (1920), 30,041; scholastics (1922), 8,946; scholastic ratio, 4 to 1; county tax rate, \$.95.

3 years, excess received
over amount paid in....\$285,869.78

McClennan County

Land rendered \$18,247,455.; per acre \$29.34; city property rendered \$26,425,625.; 1920 Census Report: land \$50,701,676.; improvements \$7,221,055. total \$57,922,731.; per acre \$89.17; percentage assessment on land 32.9 per cent; horses \$54.75; cattle \$20.; jacks \$42.; sheep \$2.50; goats \$2.; hogs \$4.87; dogs \$50.; vehicles \$204.22; banks C. S. & P. actual value \$4,768,140.; assessed value \$2,259,030.; deposits \$23,298,189.; population (1920) 82,921; scholastics (1922) 23,189; scholastic ratio 3 to 1; county tax rate \$.40.

3 years excess paid in
over amount received ... \$298,315.59
2 years Home for Depend-
ent and Neglected
children 38,900.00

Court of Civil appeals
next year \$259,415.59

Bell County

Land rendered \$14,150,285.; per acre \$24.85; city property rendered \$7,112,905.; 1920 Census Report: land \$42,156,230.; improvements \$5,560,291.; total \$47,716,521.; per acre \$78.91; percentage assessment on land 28.7 per cent; horses \$47.86; cattle \$15.78; jacks \$19.72; sheep \$1.89; goats \$1.90; hogs \$7.08; dogs \$12.82; vehicles \$153.26; banks, C. S. & P., actual value \$2,096,915. assessed value \$1,005,750.; deposits \$7,007,345.; population (1920) 46,412; scholastics (1922) 14,211; scholastic ratio, 3 to 1; county tax rate—.

3 years excess received
over amount paid in .. \$107,433.50
Experiment Station No. 5 15,430.00

Total \$122,863.50

Harris County.

Land rendered, \$32,894,210; per acre, \$31.98; city property rendered, \$96,155,860; 1920 Census Report: land, \$15,006,556; Improvements, \$3,889,387; total, \$18,895,943; per acre, \$39.57; percentage assessment on land, 80.9 per cent; horses, \$34.04; cattle, \$18.54; jacks, \$7.48; sheep, \$1.29; goats, \$1.56; hogs, \$3.92; dogs, \$31.46; vehicles, \$176.41; banks C. S. & P., actual value, \$20,744,907; assessed value, \$5,916,350; deposits, \$110,096,426; population (1920), 186,667; scholastics (1922), 48,118, scholastic ratio 4 to 1; county tax rate \$.83.

3 years excess paid in
over am't received \$1,119,242.06

Montgomery County.

Land rendered, \$750,109; per acre, \$7.05; city property rendered, \$680,660; 1920 Census Report: land, \$3,600,714; improvements, \$1,062,231; total \$4,662,945; per acre, \$20.06; percentage assessment on land, 35.1 per cent; horses, \$52.15; cattle, \$10.64; jacks, \$....; sheep, \$1.50; goats, \$....; hogs, \$.4; dogs, \$....; vehicles, \$....; banks C. S.

& P., actual value, \$276,891; assessed value, \$174,000; deposits, \$1,093,073; population (1920), 17,334; scholastics (1922), 5,467; ratio of scholastics, 3 to 1; county tax rates, \$.62.

3 years excess received
over amount paid in...\$53,302.98

Potter County.

Land rendered, \$2,857,060; per acre, \$4.96; city property rendered, \$8,382,275; 1920 Census Report: land, \$8,059,515; improvements, \$451,250; total \$8,510,765; per acre, \$13.54; percentage assessment on land, per cent; horses, \$19.24; cattle, \$11.71; jacks, \$48.57; sheep, \$1.34; goats \$2.31; hogs \$6.21; dogs, \$10; vehicles, \$....; banks C. S. & P., actual value \$1,059,750; assessed value, \$475,000; deposits, \$8,660,396; population (1920), 16,710; scholastics (1922), 3,759; scholastic ratio 4 1-2 to 1; county tax rate, \$.90.

3 years excess paid in
over amount received...\$190,385.09

3 years Court of Civil
Appeals 69,025.00

Excess paid in over
amount received ..\$121,360.09

Collingsworth County.

Land rendered, \$3,518,670; per

3 years excess paid in over amount received \$ 1,109,953.81

3 years Southwestern Insane Asylum.....\$ 1,418,050.00

3 years Court of Civil Appeals 68,675.00

1,486,725.00

Excess received over amount paid in... \$ 376,771.19

Wilson County

Land rendered \$6,000,170.; per acre \$11.64; city property rendered \$804,445.; 1920 Census Report: land \$2,225,337.; improvements \$41,100.; total \$2,266,437.; per acre \$4.56; percentage assessment on land — per cent; horses \$45.33; cattle \$18.96; jacks \$72.14; sheep \$1.92; goats \$1.96; hogs \$.80; dogs \$19.82; vehicles \$78.77; banks, C. S. & P., actual value \$301,499.; assessed value \$154,400.; deposits \$913,052.; population (1920) 17,289; scholastics (1922) 5,753; scholastic ratio 3 to 1; county tax rate \$.78.

3 years excess received
over amount paid in.... \$42,688.36

Wichita County

Land rendered \$28,568,133.; per

acre, \$6.11; city property rendered, \$579,695; 1920 census report: land, \$13,943,995; improvements, \$1,659,212; total, \$15,603,207; per acre, \$30.78; percentage on land, 20 per cent; horses, \$41.57; cattle, \$14.95; jacks, \$76.08; sheep, \$2.26; goats, \$2.47; hogs, \$4.49; dogs, \$40.00; vehicles, —; banks, C. S. & P., actual value, —; assumed value, \$143,000; deposits, —; population (1920), 9,154; scholastics (1922), 3,069; scholastic ratio, 3 to 1; county tax rate, \$0.70.

3 years excess received
over amount paid in \$33,865.52

Bexar County

Land rendered \$16,561,035.; per acre \$22.66; city property rendered \$82,776,865.; 1920 Census Report: land \$30,488,808.; improvements \$4,150,486.; total \$34,639,294.; per acre \$52.91; percentage assessment on land 42.8 per cent; horses \$36.27; cattle \$19.74; jacks \$6.91; sheep \$2.01; goats \$2.21; hogs \$5.06; dogs \$10.77; vehicles \$238.87; banks C. S. & P., actual value \$9,645,010.; assessed value \$4,276,750.; deposits \$51,721,059.; population (1920) 202,096; scholastics (1922) 44,225; scholastic ratio 4 to 1; county tax rate \$.62.

acre \$84.12; city property rendered \$23,435,125.; 1920 Census Report: land \$11,822,805.; improvements \$1,319,961.; total \$13,142,766.; per acre \$38.27; percentage assessment on land — per cent; horses \$50.; cattle \$15.; jacks —; sheep \$2.; goats \$1.; hogs \$5.; dogs \$50.; vehicles \$400.; banks C. S. & P. actual value \$—; assessed value \$1,561,280.; deposits \$25,285,558.; population (1920) 72,911; scholastics, (1922) 12,495; scholastic ratio 6 to 1 county tax rate —.

2 years Northwest Texas
Hospital for Insane ... \$308,000.00
3 years excess paid in over
amount received
(tax receipts 140) 296,029.65

Total \$11,970.35

Montague County

Land rendered \$5,517,710.; per acre \$9.38; city property rendered \$1,736,260.; 1920 Census Report: land \$13,411,453.; improvements \$2,483,605.; total \$15,895,058.; per acre \$29.84; percentage assessment on land ——— per cent; horses \$25.-01; cattle \$1.86; jacks \$73.82.; sheep \$5.14; goats \$.87 1-2; hogs \$3.91; dogs 19.52; vehicles \$14.49; banks, C. S. & P., actual value \$766,505.; assessed value, \$479,415.; deposits \$2,448,959.; population (1920) 22,200; scholastics (1922) 6,009; scholastic ratio 4 to 1; county tax rate—.3 years excess received over amount paid in\$43,262.68

**S. B. No. 84—House Amendments
Concurred in.**

Senator Woods called up S. B. No. 84 and moved that the Senate concur in the following amendments:

Amend S. B. No. 84, by striking out all after the enacting clause and insert the following:

"Section 1. That the Roscoe Independent School District is hereby created and established in Nolan County, Texas, including within its limits the present Roscoe Independent School District with metes and bounds as follows: Beginning at the N. W. corner of section No. 36, Block 24, T. & P. Ry. survey; thence south 13 degrees east along the west line of Section Nos. 36, 37, 48, 49, and 60, Block 24, T. & P. Ry. survey to the S. W. corner of Section No. 60 of the same block; thence north 77 degrees east along the south line of Sections No. 60, Block 24, T. & P. Ry. survey and along the south line of Sections Nos. 55, 56, 57 and 58, Block 23, T. & P. Ry. survey to the S. E. corner of Section No. 58, Block 23, T. & P. Ry. survey; thence south 13 degrees east along the west line of section No. 62, Block 23, T. & P. Ry. survey to the S. W. corner of same Section No. 62, thence north 77 degrees east along the south line of Sections Nos. 62 and 21, Block 23, T. & P. Ry. survey and along the south line of Sections Nos. 66 and 65, Block 22, T. & P. Ry. survey to the S. E. corner of Section No. 65, Block 22, T. & P. Ry. survey; thence north 13 degrees west along the line of Sections Nos. 65, 56, 53, 44, and 41, Block 22, T. & P. Ry. survey to the N. E. corner of Section

No. 41, Block 22, T. & P. Ry. survey; thence south 77 degrees west along the north line of Sections Nos. 41, 42, Block 22, and Block 23, Section No. 37, T. & P. Ry. survey to the S. E. corner of Section No. 35, block 23, T. & P. Ry. survey; thence north 13 degrees west along the east line of Sections Nos. 35, and 26, Block 23, T. & P. Ry. survey, to the N. E. corner of Section No. 26, block 23, T. & P. Ry. survey; thence south 77 degrees west along the north line of Sections Nos. 26, 27, 28, 29 and 30, Block 23, T. & P. Ry. survey to the N. W. corner of Section No. 30, block 23, T. & P. Ry. survey; thence south 13 degrees east along the west line of Section No. 30, block 23, T. & P. Ry. survey, to the N. E. corner of Section No. 36, block 24, T. & P. Ry. survey; thence south 77 degrees west along the north line of Section No. 36, block 24, T. & P. Ry. survey, to the place of beginning.

"Sec. 2. The management and control of the public free schools of said Roscoe Independent School District as created by this Act is hereby vested in a board of trustees composed of seven members, who shall be resident citizens and qualified voters within said district, provided that the trustees in charge of the public schools now in existence within the territory of said district shall serve as trustees of said Roscoe Independent School District until their successors are elected and qualified as is provided by General Laws for the election of trustees in independent school districts organized for school purposes only.

"Sec. 3. The said Roscoe Independent School District, as created by this Act, shall have and exercise and is hereby vested with all the rights, powers, privileges and duties of a town incorporated under the General Laws of this State for free school purposes only, and the board of trustees of the said Roscoe Independent School District shall have and exercise all of the rights, powers, privileges and duties conferred and imposed by the General Laws of Texas upon the trustees of independent school districts incorporated under the General Laws of the State for free school purposes only.

"Sec. 4. The crowded condition of the calendar and the inadequate public free school facilities of the territory hereby incorporated for free school purposes only, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days

be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage and it is so enacted."

Amend S. B. No. 84, by striking out all before the enacting clause and insert the following: "A bill to be entitled an Act to create the Roscoe Independent School District, in Nolan County, Texas, including the present Roscoe Independent School District; providing a board of trustees therefor; vesting said independent school district and board of trustees with all the rights, powers, privileges, and duties conferred upon independent school districts incorporated under the General Laws of Texas for school purposes only; providing that the board of trustees of the existing school in said district shall continue to act as such until their successors are elected in accordance with the provisions of this Act and the General Laws of Texas, and declaring an emergency."

The motion to concur prevailed.

H. B. No. 76 on Second Reading

The Chair laid before the Senate as regular order, on second reading.

H. B. No. 76, A bill to be entitled "An Act providing for the organization of pools and pooling organizations by banking and other corporations and cooperative associations composed of persons engaged in producing, or producing and marketing staple agricultural products, or live stock, or both; providing for their cooperation with the Federal law affecting loans for agricultural and live stock purposes; providing for the borrowing of money by such pooling organizations upon bonded warehouse receipts and live stock mortgages; limiting the interest rate that may be charged providing for margins; prescribing the maximum term of such liens, fixing limitations on the amount that may be loaned by such pooling organizations; providing for the use and ownership of bonded warehouses, and providing a plan of marketing the products; requiring bond of such organizations to be approved by the commissioners' court of the county where organized, and filed with the Commissioner of Markets and Warehouses; requiring quarterly reports to the Commissioner of Markets and Warehouses, and prescribing penalties for the violation of this Act."

The bill was read second time, the committee report that it be not printed was adopted and passed to third reading.

H. B. No. 87 on Third Reading.

The Chair laid before the Senate as regular order on its third reading and final passage,

H. B. No. 87, A bill to be entitled "An Act to amend House bill No. 528 of the Local and Special Laws of the Legislature, Regular Session, creating the Megargel Independent County Line School District so as to add additional territory to the Megargel Independent County Line School District, and giving the board of trustees of that district the authority to increase the area of the district, and declaring an emergency."

The bill was read third time and passed by the following vote:

Yeas—30

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

H. B. No. 136 on Third Reading.

The Chair laid before the Senate as regular order on its third reading and final passage,

H. B. No. 136, A bill to be entitled "An Act amending Section 1 of Chapter 26, Local and Special Laws of the Thirty-seventh Legislature, passed at its First Called Session, redefining the boundaries of Sheffield Independent School District in Pecos County, Texas, and declaring an emergency."

The bill was read third time and passed by the following vote:

Yeas—30

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

H. B. No. 148 on Third Reading.

The Chair laid before the Senate as regular order on its third reading and final passage,

H. B. No. 148, A bill to be entitled "An Act creating the Darrouzett Independent School District in Lipscomb County; defining its boundaries to be the same as of Common School District No. 20; providing for a board of trustees for said district; conferring upon said district and its board of trustees all the rights, powers, privileges, and duties now conferred and imposed by the General Laws of Texas upon independent school districts and the boards of trustees thereof; providing that the present board of trustees of said Common School District No. 20 shall continue in office until the next regular election, as provided for under the General Laws, or until their successors are elected and qualified; declaring the maintenance tax and the bond tax heretofore authorized in said Common School District No. 20 to be valid and binding upon said independent school district; providing for an assessor and collector of taxes for said district, and fixing his powers, duties, bond and compensation; providing for the levying, assessing and collecting of taxes for the current year; and annually thereafter; providing that all bonds, obligations, contracts and indebtedness legally existing against Common School District No. 20 are imposed upon the Darrouzett Independent School District; providing for the collection of taxes by the county tax assessor and collector; applying the General Laws when a matter is not,

expressly provided for by this Act, and declaring an emergency."

The bill was read third time and passed by the following vote:

Yeas—30.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

H. B. No. 154 on Third Reading.

The Chair laid before the Senate as regular order on its third reading and final passage,

H. B. No. 154, A bill to be entitled "An Act to amend Section 3 of House Bill No. 565, enacted by the Thirty-eighth Legislature at the Regular Session, being 'An Act to reorganize the Thirtieth and Sixteenth Judicial Districts, and to create the Ninety-second Judicial District, etc.' so as to revise the time and dates of holding the terms of court provided for in the counties of Cooke and Denton, comprising the Sixteenth Judicial District, said Section 3, of said Act, hereafter to read as set out below; providing that all process and writs heretofore issued, and all recognizances and bonds heretofore made and executed and returnable to existing terms of the district courts in the counties composing said district, together with jurors heretofore selected are valid and returnable to the first term of such court after this Act takes effect, and providing for the continuation of the existing district courts in said counties in session when this Act takes effect to the ends of their terms; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

The bill was read third time and passed by the following vote:

Yeas—30.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

H. B. No. 157 on Third Reading.

The Chair laid before the Senate as regular order on its third reading and final passage,

H. B. No. 157, A bill to be entitled "An Act creating the Adams Independent School District in San Patricio County, Texas; defining its boundaries; providing for the election of a board of trustees to manage and control the public free schools within said district, vesting said district with all the powers, rights and duties of independent school districts created for free school purposes only; providing for the assumption by said district of all existing indebtedness of the territory embraced within the said district hereby created, and declaring an emergency."

The bill was read third time and passed by the following vote:

Yeas—30.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

H. B. No. 160 on Third Reading.

The Chair laid before the Senate as regular order on its third reading and final passage,

H. B. No. 160, A bill to be entitled "An Act to repeal an Act passed at the Regular Session of the Thirty-eighth Legislature, being House Bill No. 578, Chapter 46, of the Special Laws of the Thirty-eighth Legislature of the State of Texas, entitled 'An Act to amend an Act passed at the Regular Session of the Thirtieth Legislature, known as House Bill No. 470, and approved April 4, 1907, entitled 'An Act creating an independent school district, to be known as the Coleman Independent School District, including within its limits the municipal corporation of the town of Coleman, and to provide for the creation of a board of trustees thereof, and authorizing the board of trustees to levy, assess and collect special taxes, and conferring upon the board of trustees plenary powers and authority to issue bonds for the purpose of purchasing school sites, and erecting, furnishing and equipping school buildings within the same, and to pay current expenses in the maintenance and support of said schools, and further prescribing the duties and authorities of said board,' so as to hereafter read as follows, and extending and defining the boundaries, and including within its limits the municipal corporation of the city of Coleman; and to provide for the creating of a board of trustees thereof, and to authorize the board of trustees to levy, assess and collect special taxes and provided authority to issue bonds for the purpose of purchasing school sites, and erecting, furnishing and equipping school buildings within the same, and to levy a tax therefor, and to pay all current expenses for the maintenance and support of said school, declaring valid all issues of bonds heretofore voted, and repealing all laws in conflict herewith in so far as they conflict with this Act, and declaring an emergency,' reviving former laws, and declaring an emergency."

The bill was read third time and passed by the following vote:

Yeas—30.

Bailey.	Bledsoe.
Baugh.	Bowers.

Burkett.	Pollard.
Clark.	Rice.
Cousins.	Ridgeway.
Darwin.	Rogers.
Davis.	Strong.
Doyle.	Stuart.
Fairchild.	Thomas.
Floyd.	Turner.
Holbrook.	Watts.
Lewis.	Wirtz.
McMillin.	Witt.
Murphy.	Wood.
Parr.	Woods.

H. B. No. 161 on Third Reading.

The Chair laid before the Senate as regular order on its third reading and final passage,

H. B. No. 161, A bill to be entitled "An Act to amend Section 1 of House Bill No. 115, enacted by the Third Called Session of the Thirty-sixth Legislature, approved June 17, 1920, amending and revising the metes and bounds of the Miami Independent School District in Roberts County, adding additional territory thereto, and exempting same from present outstanding bonded indebtedness of said Miami Independent School District, continuing the present trustees in office, validating levies of taxes heretofore made, and declaring an emergency."

The bill was read third time and passed by the following vote:

Yeas—30.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

H. B. No. 176 on Third Reading.

The Chair laid before the Senate as regular order on its third reading and final passage,

H. B. No. 176, A bill to be entitled "An Act to create the Truscott Inde-

pendent School District in Knox County, Texas, including the Truscott Independent School District, as created by the Thirty-sixth Legislature, Regular Session; providing a board of trustees therefor; vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the General Laws of Texas; providing that the board of trustees of the existing school in said district shall continue to act as such until their successors are elected in accordance with the provisions of this Act and the General Laws of Texas, and declaring an emergency."

The bill was read third time and passed by the following vote:

Yeas—30.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

H. B. No. 182 on Third Reading.

The Chair laid before the Senate as regular order on its third reading and final passage,

H. B. No. 182, A bill to be entitled "An Act to amend Section 10 of Chapter 3 of the General Laws of the State of Texas, enacted by the Third Called Session of the Thirty-third Legislature, approved October 19, 1914, by adding a subdivision thereto to be designated (d ½), providing that liabilities incurred under the provisions of the Federal 'Agricultural Credits Act of 1923' shall not be taken into account in determining the amount of indebtedness or liability of banking corporations incorporated under the laws of this State, and declaring an emergency."

The bill was read third time and passed.

H. B. No. 183 on Third Reading.

The Chair laid before the Senate as regular order on its third reading and final passage,

H. B. No. 183, A bill to be entitled "An Act to provide for the organization of corporations for the purpose of borrowing and loaning money to their members only and for the discount and rediscount of notes, or other evidence of indebtedness, for their members, and authorizing such corporations to become endorsers on notes or other evidences of indebtedness of their members, providing that such notes or other evidences of indebtedness are made for the purposes provided in the Federal 'Agricultural Credits Act of 1923,' and for the purpose of loaning money to their member stockholders, where the money is to be used for the production, or production and marketing of staple agricultural productions, or for the raising, breeding, fattening or marketing of live stock, and the purchase and payment for capital stock of such corporation; providing that no corporation shall be organized under the provisions of this Act with a capital stock of less than \$10,000, all of which shall be fully paid in at the time of filing the articles of incorporation, and such capital stock shall be invested in securities approved for investment by savings banks under the laws of Texas; and providing that such corporations shall by their by-laws provide for the automatic increase of their capital stock, and authority is given for such automatic increase; providing that such capital stock shall be increased at the rate of ten per centum of the amount of loans made by such corporations; and providing that such corporations shall not make loans in excess of ten times their unimpaired capital stock represented by that part of its capital automatically increased; and providing such corporations may by their articles of incorporation provide for preferred and common stock, and if provision be made for preferred stock the articles of incorporation shall provide for payment of both classes of stock; and providing that banking or other corporations, except savings banks may, upon the approval of the Commissioner of Banking and Insurance, first had and obtained invest in the preferred stock of such corporations; and providing also the requirements to be set out in the articles of incorporation of such corporations;

and providing for the filing of reports with the Secretary of State and the payment of fees therefor, and defining the liability of stockholders, preferred or common, for the debts or engagements of such corporations; and providing the maximum amount of interest; and providing for the suspension of the constitutional rule, and declaring an emergency."

The bill was read third time and passed.

H. B. No. 184 on Third Reading.

The Chair laid before the Senate as regular order on its third reading and final passage,

H. B. No. 184, A bill to be entitled "An Act to enable the citizens of the State of Texas to avail themselves of the provisions of the act of Congress of the United States of America, approved March 4, 1923, and known as the Agricultural Credits Acts of 1923, and to provide for the creation of private cooperative credit associations by citizens of the State of Texas engaged in the production or marketing of staple agricultural products or the raising, breeding, feeding, fattening or marketing of live stock; and providing that such co-operative credit associations shall have the power to borrow for and lend money to their members; to discount or rediscount for their members only and to purchase, indorse and sell the notes of its members, or such other evidences of indebtedness as may be discounted or rediscounted under the provisions of the Federal 'Agricultural Credits Act of 1923,' and under the terms, rules and regulations prescribed by the Federal Farm Loan Board and with such other and additional powers as are conferred upon associations generally organized under the laws of this State, where not in conflict with the express provisions hereof; authorizing such cooperative credit associations to be organized with or without capital stock, provided that such cooperative credit associations organized for the purpose of raising, breeding, feeding, fattening or marketing live stock shall not be organized hereunder with capital stock, the initial amount of which must be stated in the articles of incorporation and that the articles of incorporation shall provide that loans shall not be obtained for, made to, or notes purchased of any person or corporation other than a stock-

holder in such association, and that each applicant for a loan or discount by such association shall become a subscriber to its capital stock in an amount equal to ten percentum of the amount of the loan or discount applied for and that upon or before the closing of such loan such capital stock shall be fully paid for; and providing that the capital stock of such associations shall be automatically increased with the increase of the loans and discounts by such associations shall never be in excess of ten times the amount of paid-up, unimpaired capital stock of such association; providing for the retirement of capital stock; providing that this Act shall be cumulative of all other General Laws of this State affecting corporations organized thereunder, and providing for the payment of fees for the filing of articles of incorporation of cooperative credit associations hereunder and for the making of quarterly and annual reports to the Secretary of State and the payment of fees upon filing of such reports and the exempting of such cooperative credit associations from the payment of any other license or franchise tax, and declaring an emergency."

The bill was read third time and passed.

H. B. No. 225 on Third Reading.

The Chair laid before the Senate as regular order on its third reading and final passage.

H. B. No. 225. A bill to be entitled "An Act amending House Bill No. 474, passed at the Regular Session of the Thirty-eighth Legislature, so as to add to Hulver Common School District No. 5, in Hall County, Section No. — of Block 'A' of A. B. & M. lands, detaching the said section from Estelling Independent School District in Hall County; and providing that the adjustment of said school districts and their finances and taxes unto each transfer shall be included in the election provided for in said Act of the Thirty-eighth Legislature, and declaring an emergency."

The bill was read third time and passed by the following vote:

Yeas—30.

Bailey.	Bowers.
Baugh.	Burkett.
Bledsoe.	Clark.

Cousins.
Darwin.
Davis.
Doyle.
Fairchild.
Floyd.
Holbrook.
Lewis.
McMillin.
Murphy.
Parr.
Pollard.

Rice.
Ridgeway.
Rogers.
Strong.
Stuart.
Thomas.
Turner.
Watts.
Wirtz.
Witt.
Wood.
Woods.

H. B. No. 233 on Third Reading.

The Chair laid before the Senate as regular order on its third reading and final passage.

H. B. No. 233. A bill to be entitled "An Act to create the Double Horn Independent School District in Burnet County, including the present Double Horn District No. 32 of the said county; providing a board of trustees therefor, vesting said independent district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the General Laws of Texas; providing that the board of trustees of the present Double Horn District No. 32 shall continue to act as such until their successors are elected in accordance with the General Laws of Texas, and declaring an emergency."

The bill was read third time and passed by the following vote:

Yeas—30

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

H. B. No. 237 on Third Reading.

The Chair laid before the Senate as regular order on its third reading and final passage.

H. B. No. 237. A bill to be entitled

"An Act to amend Chapter 12, Acts Thirty-seventh Legislature, First Called Session, 1921, same being an Act entitled 'An Act creating the Jacksonville Independent School District in Cherokee County, by amending Section 1 thereof, including the boundaries of said district; continuing the present board of trustees in office; validating all tax levies heretofore made,' and declaring an emergency."

The bill was read third time and passed by the following vote:

Yeas—30.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

H. B. No. 239 on Third Reading.

The Chair laid before the Senate as regular order on its third reading and final passage,

H. B. No. 239, A bill to be entitled "An Act to create the Comstock Independent School District in Val Verde County, Texas; providing a board of trustees; vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the General Laws of Texas for school purposes only, and declaring an emergency."

The bill was read third time and passed by the following vote:

Yeas—30.

Bailey.	Doyle.
Baugh.	Fairchild.
Bledsoe.	Floyd.
Bowers.	Holbrook.
Burkett.	Lewis.
Clark.	McMillin.
Cousins.	Murphy.
Darwin.	Parr.
Davis.	Pollard.

Rice.	Turner.
Ridgeway.	Watts.
Rogers.	Wirtz.
Strong.	Witt.
Stuart.	Wood.
Thomas.	Woods.

H. B. No. 240 on Third Reading.

The Chair laid before the Senate as regular order on its third reading and final passage,

H. B. No. 240, A bill to be entitled "An Act to amend Chapter 38 of the Special Laws passed by the Regular Session of the Thirty-eighth Legislature, the same being an Act to create the Barksdale Independent School District in Edwards and Real Counties, Texas; providing a board of trustees therefor; vesting said independent school district and board of trustees with all the rights, powers, privilege and duties conferred upon independent school districts incorporated under the General Laws of Texas; providing that the board of trustees of the existing school in said district shall continue to act as such until their successors are elected in accordance with the General Laws of Texas, and declaring an emergency."

The bill was read third time and passed by the following vote:

Yeas—30.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

H. B. No. 244 on Third Reading.

The Chair laid before the Senate as regular order on its third reading and final passage,

H. B. No. 244, A bill to be entitled "An Act creating Ricardo Independent School District No. 1 in Kleberg

County, Texas; defining its boundaries; providing for a board of trustees to manage and control the public free schools within said district; divesting the Ricardo Independent School District No. 1 as heretofore existing and Common School District No. 8 in Kleberg County, Texas, of the control of the public free schools within the territory included within Ricardo Independent School District No. 1 as herein created and divesting the said Ricardo Independent School District No. 1 as heretofore existing and the said Common School District No. 8 of the title to all property now held and used for public free school purposes and vesting the title to all said property in the board of trustees of Ricardo Independent School District No. 1 as herein created; conferring upon the board of trustees of Ricardo Independent School District No. 1 as herein created all the powers, privileges and duties conferred upon the trustees of independent school districts created under the General Laws; providing that the board of trustees of Ricardo Independent School District No. 1 as heretofore existing, shall constitute the board of trustees of Ricardo Independent School District No. 1, as herein created; validating all bonds, or other evidence of indebtedness heretofore issued on behalf of Ricardo Independent School District No. 1 as heretofore existing and all taxes heretofore levied on behalf of said district, and declaring an emergency."

The bill was read third time and passed by the following vote:

Yeas—30.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

H. B. No. 141 on Second Reading.

The Chair laid before the Senate as regular order on its second reading.

H. B. No. 141, A bill to be entitled "An Act authorizing and empowering the City of Perryton, in Ochiltree County, Texas, to close certain streets; to narrow and reduce in width certain other streets; to, by ordinance, make provision for settlement and adjustment of property rights with owners of property adjacent to and affected by said changes, and validating all ordinances by said city heretofore passed in connection therewith."

The bill was read second time, the committee report that it be not printed was adopted and was passed to third reading.

H. B. No. 141 on Third Reading.

On motion of Senator Bledsoe the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 141 was put upon its third reading and final passage by the following vote:

Yeas—30

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

The Chair then laid H. B. No. 141 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Bailey.	Doyle.
Baugh.	Fairchild.
Bledsoe.	Floyd.
Bowers.	Holbrook.
Burkett.	Lewis.
Clark.	McMillin.
Cousins.	Murphy.
Darwin.	Parr.
Davis.	Pollard.

Rice.	Turner.
Ridgeway.	Watts.
Rogers.	Wirtz.
Strong.	Witt.
Stuart.	Wood.
Thomas.	Woods.

H. B. No. 172 on Second Reading.

The Chair laid before the Senate as regular order on second reading,

H. B. No. 172, A bill to be entitled "An Act creating the Parks Independent School District in Stephens County, Texas; defining its boundaries; providing for a board of trustees in said district, conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws upon independent school districts and the board of trustees thereof; providing that the management and control of the public free schools of said district shall be vested in a board of trustees composed of seven persons and providing for the election and qualification of said trustees; providing for the appointment of a tax assessor and collector and board of equalization for said district, and declaring an emergency."

The bill was read second time, the committee report that it be not printed was adopted, and it was then passed to the third reading.

H. B. No. 172 on Third Reading.

On motion of Senator Burkett the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 172 was put upon its third reading and final passage by the following vote:

Yeas—30

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

The Chair then laid H. B. No. 172 before the Senate on its third reading and final passage.

The bill was read the third time and passed by the following vote:

Yeas—30

Bailey.	Murphy.
Bledsoe.	Parr.
Bowers.	Pollard.
Burkett.	Rice.
Clark.	Ridgeway.
Cousins.	Rogers.
Darwin.	Strong.
Davis.	Stuart.
Doyle.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Wirtz.
Lewis.	Witt.
McMillin.	Wood.
	Woods.

H. B. No. 199 on Second Reading.

The Chair laid before the Senate as regular order on second reading,

H. B. No. 199, A bill to be entitled "An Act creating and incorporating the Quitaque Independent School District of Briscoe County, Texas, for free school purposes only, defining its boundaries, vesting it with all the rights, powers, duties and privileges of independent school districts under the General Laws of Texas pertaining thereto; providing for a board of trustees, raising of revenue by taxation, issuing bonds and maintaining public free schools therein, vesting all lands buildings and all other property now owned and held for free school purposes, by Quitaque Common School District, in the Quitaque Independent School District; providing that all outstanding indebtedness, whether bonded or otherwise of the Quitaque Common School District, shall be validated and held a valid obligation against the Quitaque Independent School District; declaring valid a maintenance and bond tax heretofore voted by said Quitaque School District, and repealing all other acts and laws in conflict herewith."

The bill was read second time, the committee report that it be not printed was adopted, and it was then passed to third reading.

H. B. No. 199 on Third Reading.

On motion of Senator Doyle, the constitutional rule requiring bills

to be read on three several days in each House was suspended, and H. B. No. 199 was put upon its third reading and final passage by the following vote:

Yeas—30

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

The Chair then laid H. B. No. 199 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

H. B. No. 180 on Second Reading.

The Chair laid before the Senate as regular order on second reading.

H. B. No. 180, A bill to be entitled "An Act taking certain territory from Common School District No. 22 in Hall County and transferring the same to Common School District No. 6 in Hall County, providing for an election at which the qualified tax paying voters of said Common School District No. 6 as thus enlarged may determine whether it shall assume and be taxed to pay the pro rata portion of the taxes which the said added territory may be subject to on account of any outstanding schoolhouse bond issues pre-

viously made by said district No. 22; and whether the property in said Common School District No. 6, as enlarged, shall be subject to any special school taxes previously voted by said district; and whether the property of such district as so enlarged shall be subject to taxes for the support of any previous bond issue by said Common School District No. 6; providing for the defining of the boundary lines of said district as thus enlarged; specifying the jurisdiction which the county board of trustees shall have with respect to the boundaries of the territory of such enlarged district and declaring an emergency."

The bill was read second time, the committee report that it be not printed was adopted, and it was then passed to third reading.

H. B. No. 180 on Third Reading.

On motion of Senator Burkett, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 180 was put upon its third reading and final passage by the following vote:

Yeas—30

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

The Chair then laid H. B. No. 180 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Bailey.	Davis.
Baugh.	Doyle.
Bledsoe.	Fairchild.
Bowers.	Floyd.
Burkett.	Holbrook.
Clark.	Lewis.
Cousins.	McMillin.
Darwin.	Murphy.

Parr.	Thomas.
Pollard.	Turner.
Rice.	Watts.
Ridgeway.	Wirtz.
Rogers.	Witt.
Strong.	Wood.
Stuart.	Woods.

H. B. No. 188 on Second Reading.

The Chair laid before the Senate as regular order on second reading.

H. B. No. 188, A bill to be entitled "An Act creating the Whiteflat Independent School District in Motley County, Texas; defining the boundaries thereof; vesting the management thereof in a board of seven trustees, providing for their election, and for the organization of the board; vesting said district with the rights, powers, privileges and duties of a town or village incorporated under the laws of the State for free school purposes only; vesting the board of trustees with the rights, powers, privileges and duties conferred and imposed by the General Laws of this State upon trustees of independent school districts incorporated under the General Laws of the State of Texas; providing for the appointment of an assessor and collector of taxes and board of equalization; divesting the title to all property heretofore and now vested in Common School District No. 7, Motley County, Texas, out of said district, and vesting same in the board of trustees of Whiteflat Independent School District; declaring in full force and effect all maintenance tax heretofore voted or bonds heretofore issued by Common School District No. 7, Motley County, Texas, to be in full force and effect in so far as this Act might affect them, and declaring an emergency."

The bill was read second time, the committee report that it be not printed was adopted, and it was then passed to third reading.

H. B. No. 188 on Third Reading.

On motion of Senator Bledsoe, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 188 was put upon its third reading and final passage by the following vote:

Yeas—30.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

The Chair then laid H. B. No. 188 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

H. B. No. 206 on Second Reading.

The Chair laid before the Senate as regular order on second reading.

H. B. No. 206, A bill to be entitled "An Act creating the Taylor Independent School District in Swisher County, Texas; defining its boundaries and authorizing said district to add territory; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws of Texas upon independent school districts, and naming of its first board of trustees and for the election of their successors; investing said district with all the property rights and the assumption of all obligations of the Taylor Common

School District No. 19; providing for the appointment of a board of equalization and tax assessor and collector for said district, and declaring an emergency."

The bill was read second time, the committee report that it be not printed was adopted, and it was then passed to third reading.

H. B. No. 206 on Third Reading.

On motion of Senator Bledsoe, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 206 was put upon its third reading and final passage by the following vote:

Yeas—30.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

The Chair then laid H. B. No. 206 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

H. B. No. 216 on Second Reading.

The Chair laid before the Senate as regular order on second reading,

H. B. No. 216, A bill to be entitled "An Act extending the boundary of and adding territory of Happy Independent School District in Randall and Swisher Counties as heretofore created by Chapter 23 of the Acts of the Thirty-fourth Legislature, as amended by Chapter 2 of the Acts of the First Called Session of the Thirty-fourth Legislature; defining the boundaries of said district as here extended; continuing the present board of trustees of said district in office for the remainder of their respective terms and until their successors shall have been duly elected and qualified; providing for an election to adjust the territory added to such district, and taxes which may now be levied upon the said independent school district of the pro rata of the taxes payable upon the property contained in such added territory on account of any outstanding bond issue which may exist against such territory, and declaring an emergency."

The bill was read second time, the committee report that it be not printed was adopted, and it was then passed to third reading.

H. B. No. 216 on Third Reading.

On motion of Senator Bledsoe, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 216 was put upon its third reading and final passage by the following vote:

Yeas—30.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

The Chair then laid H. B. No. 216 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

H. B. No. 223 on Second Reading.

The Chair laid before the Senate as regular order on second reading,

H. B. No. 223, A bill to be entitled "An Act creating and incorporating the Grassland Independent School District in Lynn County, Texas, out of territory now comprising the Grassland Common School District No. 21 of Lynn County, as heretofore created by the county board of school trustees of said county; defining boundary thereof; providing for a board of trustees, their election, terms of office, qualification, powers, duties and authority; authorizing the board of trustees to levy, assess and collect taxes for maintenance and building purposes, and to issue bonds; providing for an assessor and collector of taxes and a board of equalization; providing that said Grassland Independent School District shall assume and discharge any and all indebtedness constituting valid and binding obligations of said Common School District No. 21, of Lynn County; validating and continuing in force any and all taxes heretofore voted and now in force in such common school district; providing that title to any and all property of said common school district shall vest in the trustees of independent school district hereby created; providing for filling vacancies on the board of trustees; providing for a seal for said district; providing that the board of trustees shall be governed by the General Laws of Texas in all matters where this Act is

silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any section or provision of this Act shall not invalidate any remaining provisions hereof, and declaring an emergency."

The bill was read second time, the committee report that it be not printed was adopted, and it was then passed to third reading.

H. B. No. 223 on Third Reading.

On motion of Senator Bledsoe, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 223 was put upon its third reading and final passage by the following vote:

Yeas—30.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

The Chair then laid H. B. No. 223 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

S. B. No. 92—Free Conference Committee Report.

Senator Davis called up the Free Conference Committee report on S. B. No. 92.

The Chair laid before the Senate the report of the Free Conference Committee, which was read as follows:

Hon. R. E. Seagler, Speaker of the House of Representatives, and Hon. T. W. Davidson, President of the Senate.

Sirs: We, your Conference Committee on S. B. No. 92, have had the same under consideration and beg leave to report to you that we have settled the differences between the House and the Senate and recommend that S. B. No. 92 be accepted as amended by the House and with the following committee amendments:

Narcissa Place Co.—To refund franchise tax. \$	69.20
J. W. Madden, Special Associate Justice . . .	463.80
Geo. S. King and G. C. Clegg, Special Justices of Supreme Court	927.60
To pay for painting and hanging former Gov. Ferguson's picture	500.00
To pay H. L. Vaughn, refund occupation tax	300.00
E. L. Steck Co., for table	49.00
The Shear Company (Waco), to pay account for supplies furnished State Juvenile Training School, 1918-1919	434.06
D. J. Cunningham, District Attorney (Special)	41.65
To pay Mexican War Veterans, pension for the year 1924.	5,000.00
To pay Mexican War Veterans, pension for the year 1925.	5,000.00
To pay interest on public debt, 1924	135,091.00
To pay interest on public debt, 1925	135,091.00

W. J. Barnes, Special Deputy (Eastland) . .	40.30
W. P. Midkiff, Special District Judge	66.66
To pay C. A. Dahlich, book cases, furniture and table	670.50
To pay Sam R. Merrill, Special District Judge	98.55
To pay W. & L. E. Gurley for weights and measures sold to F. C. Weinert, Commissioner Markets and Warehouse Department, year of 1922. .	1,368.55
To pay unpaid balance of salaries of Game, Fish and Oyster Commissioner and Deputies as provided for in Chapter 44, Article 67, of the General Laws as passed at the Third Called Session of the Thirty-sixth Legislature, for which no appropriation has been made, as follows:	
J. R. Jefferson, Commissioner	227.77
W. W. Boyd.	250.00
B. H. Smith, Chief Deputy	227.77
S. C. Tisdale, Chief Deputy	250.00
T. R. Leggett, Jr., Boat Deputy	61.66
Geo. Raymond, Boat Deputy	536.66
Frank Bauer, Boat Deputy	225.00
Earl Nelson, Boat Deputy	736.66
A. C. Thompson.	786.66
J. F. Duffy, Boat Deputy	786.66
Wilburn Smith, Boat Deputy	625.00
J. A. Armstrong, Boat Deputy	275.00
C. H. Stelfox, Boat Deputy	25.00
E. F. Dunree, Shore Deputy, Houston . . .	172.00
T. E. Sammons, Shore Deputy, Houston . . .	200.00
Walter Kitchen, Mate of Boat	12.33

Tom Richardson, Mate of Boat	15.00
Henry Richards, Mate of Boat	10.00
J. N. Yeager, Mate of Boat	45.00
Alfred Butler	52.33
M. L. Cantwell, Supt. Fish Hatchery	286.66
J. W. Hopson, Boat Deputy	25.00
J. R. Moreland, Boat Deputy	175.00
Will Holder, Hatchery Workman	57.33
Howard Allenbaugh, Hatchery Workman ..	57.33

SMITH,
WALLACE,
ARNOLD,
JENNINGS,
FIELDS,

On the part of the House.

DAVIS,
WATTS,
RICE,
DOYLE,
WITT,

On the part of the Senate.

On motion of Senator Davis, the report was adopted by the following vote:

Yeas—27.

Bailey.	Parr.
Baugh.	Pollard.
Bowers.	Rice.
Burkett.	Rogers.
Clark.	Strong.
Cousins.	Stuart.
Darwin.	Thomas.
Davis.	Turner.
Doyle.	Watts.
Fairchild.	Wirtz.
Floyd.	Witt.
Lewis.	Wood.
McMillin.	Woods.
Murphy.	

Absent.

Bledsoe.	Ridgeway.
Holbrook.	

H. B. No. 1—Free Conference Committee Report.

Senator Burkett called up the Free Conference Committee report on H. B. No. 1.

The Chair laid before the Senate the report of the Free Conference Committee, which was read as follows:

Committee Room,

Austin, Texas, May 14, 1923.

Hon. T. W. Davidson, President of the Senate;

Hon. Richard E. Seagler, Speaker of the House.

Sirs: We, your Conference Committee, appointed to consider the difference between the two houses upon

H. B. No. 1, A bill to be entitled "An Act levying an occupation tax upon the right and privilege of producing oil in this State by taking same from the earth; defining the words "person," "market value," and "oil;" levying such tax against those engaged in such production; requiring reports to be made in order to ascertain the amount of said tax due the State; prescribing penalties for failure to comply with the Act requiring reports to be made and requiring said tax to be paid within a certain time; making necessary provision for carrying into effect the Act and accomplishing its purpose; amending Article 7383, Chapter 2 of Title 126 of the Revised Civil Statutes of 1911, as amended; and declaring an emergency."

Have met and after full and free conference have agreed and do hereby make the recommendation that the attached bill be substituted in lieu of the original bill passed by both Houses of the Thirty-eighth Legislature, all of which is respectfully submitted.

PATTERSON.
MORGAN.
JOHNSON.

On part of the House.

COUSINS.
WITT,
BURKETT.
HOLBROOK.

On part of the Senate.

Committee Substitute.
A BILL

To Be Entitled

An Act levying an occupation tax upon the right and privilege of producing oil in this State by taking same from the earth; defining the words "person," "market value" and "oil;" levying such tax against those engaged in such production; requiring reports to be made in order to ascertain the amount of said tax due the State; prescribing penalties for failure to comply with the Act requiring re-

ports to be made and requiring said tax to be paid within a certain time; making necessary provision for the carrying into effect the Act and accomplishing its purpose; amending Article 7383, Chapter 2 of Title 126 of the Revised Civil Statutes of 1911, as amended; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Article 7383 of Chapter 2, Title 126 of the Revised Civil Statutes of the State of Texas of 1911, as amended, is hereby amended so as to hereafter read as follows:

"Article 7383. (1) Each and every person owning, controlling, managing, operating or leasing in this State any oil well, or any person who produces in any other manner any oil by taking it from the earth in this State, shall make quarterly on the first days of January, April, July and October of each year, a report to the Comptroller of Public Accounts, under oath of such person, (or if the producer is other than a natural person, under oath of the president, treasurer, superintendent or person in charge of such production) showing the total amount of oil produced by such person from each well, or otherwise, during the quarter next preceding and the average market value thereof during said quarter. Each such person on said first days of January, April, July and October shall pay to the Treasurer of the State of Texas an occupation tax for the quarter beginning on said date equal to two per cent (2%) of the value of the total amount of oil produced in this State by such person during the quarter next preceding such first days of January, April, July and October at the average market value thereof.

(2) Each and every person mentioned and included in subdivision (1) of this Article shall make, keep and preserve a full and complete record of all such oil produced in this State during the time so engaged in its production and said record shall be open at all times to the inspection of all tax officers of this State, and any person failing to comply with this requirement shall be subject to a penalty not less than five hundred (\$500.00) dollars and not more than fifteen hundred (\$1500.00) dollars payable to the State of Texas, and such penalty shall accrue for

each ten days of failure to comply with subdivision of said article, and such penalty shall accrue for failure to comply with this subdivision with reference to each separate oil well.

(3) In each report required to be made by this article such person making the same shall show in detail the disposition made of any such oil, if disposed of, and if not shall show where it is stored. Said report shall show to whom any such oil was sold or delivered, the date of sale and delivery, the amount delivered to each, and shall show the name and location of the person, refinery, pipe line, establishment, plant, factory, railroad, institution, or place to which or to whom delivery was made.

(4) The word "person" as used in this Article or Act shall include person, firm, concern, receiver, receivers, trustee, executor, administrator, agent, institution, association, partnership, company, corporation, and persons acting under declarations of trust.

(5) The market value of oil as that term is used herein shall be the actual market value of the same, and among other things proper to be considered, any bonus or premium paid or which the oil will reasonably bring shall not be excluded in arriving at the market value.

(6) Any person failing to make proper and accurate report for thirty days from the date when said report is required herein to be made, shall forfeit and pay to the State of Texas a penalty of ten per cent (10%) of the amount of the tax due for the quarter for which said report is required by law to be made.

(7) Any person failing to pay any tax provided for herein within thirty days from the date when said tax is required herein to be paid, shall forfeit and pay to the State of Texas a penalty of ten per cent (10%) upon the amount of such tax and six per cent (6%) interest upon the amount of such tax and penalty from date when due and payable until paid.

(8) The word "oil" as used in this Act means petroleum oil, mineral oil, or other oil taken from the earth.

(9) For the occupation tax, penalties and interest herein provided for, the State shall have a lien on any lease-hold interest, ownership of

the oil rights or interest, owned by the person owing any tax herein provided for."

Sec. 2. If any provision of this Act should be held to be invalid, it is hereby declared to be the intention of the Legislature that all other portions of the Act shall remain in force and effect.

Sec. 3. The fact that there is no adequate law in this State levying an occupation tax based upon the gross production of oil in the State of Texas, and the fact that the change in the law herein made should take effect as soon as possible in order that those engaged in oil production may as soon as possible be required to contribute to the support of the State Government to the extent herein provided for, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and that this Act shall take effect and be in force from and after its passage, and said rule is hereby suspended, and it is so enacted.

Recess.

Senator Holbrook moved that the Senate recess until 2 p. m., today.

On motion of Senator Clark, the Senate at 12:10 p. m., recessed until 2:30 p. m., today.

Afternoon Session.

The Senate met at 2:30 p. m. and was called to order by President pro tem Charles Murphy.

S. B. No. 113 on Second Reading.

On motion of Senator Wood the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 113 was put upon its second reading and passage to engrossment by the following vote:

Yeas—30.

Bailey.	Clark.
Baugh.	Cousins.
Bledsoe.	Darwin.
Bowers.	Davis.
Burkett.	Doyle.

Fairchild.	Rogers.
Floyd.	Strong.
Holbrook.	Stuart.
Lewis.	Thomas.
McMillin.	Turner.
Murphy.	Watts.
Parr.	Wirtz.
Pollard.	Witt.
Rice.	Wood.
Ridgeway.	Woods.

The Chair then laid before the Senate on its second reading,

S. B. No. 113, A bill to be entitled "An Act making appropriation to supplement the mileage and per diem fund and contingent expense fund of the Second Called Session of the Thirty-eighth Legislature, convened on the 16th day of April, 1923, by proclamation of the Governor, providing how accounts may be approved, and declaring an emergency."

The Chair laid the bill before the Senate and it was read second time.

The Senate rule requiring committee reports to lie over one day was suspended by unanimous consent, and the committee report that the bill be not printed was adopted.

The bill was then passed to engrossment.

S. B. No. 113 on Third Reading.

On motion of Senator Wood, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 113 was put on its third reading and final passage by the following vote:

Yeas—30.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

The Chair then laid S. B. No. 113 before the Senate on third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

H. B. No. 210 on Third Reading

(Lieutenant Governor T. W. Davidson in the chair.)

The Chair laid before the Senate as regular order on its third reading and final passage,

H. B. No. 210, A bill to be entitled "An Act amending Section 35, Article 7355, of the Revised Civil Statutes of Texas, 1911, providing for an occupation tax on coin operated vending machines, such as phonographs, electrical piano, electrical battery, graphophone, weighing machine or other like machines or instruments where a fee is charged repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

The bill was read third time and passed by the following vote:

Yeas—26.

Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Floyd.	Watts.
Holbrook.	Wirtz.
Lewis.	Witt.
McMillin.	Wood.

Nays—3.

Bailey.	Woods.
Murphy.	

Absent.

Fairchild.

H. B. No. 1—Free Conference Committee Report.

The Senate resumed consideration of the Free Conference Committee report on H. B. No. 1, levying a production tax on oil, which report was pending at the time the Senate recessed at noon.

Question—Shall the report of the Free Conference Committee be adopted?

Senator Wood offered the following motion:

I have as a substitute for the pending motion that the conference report on House Bill No. 1, be not adopted, and that the House be requested to grant further conference on this bill, and that the Senate conferees be instructed to work for a two and one half (2½%) per cent gross production tax on oil instead of two per cent, (2%) the amount provided for in the conference report.

Senator Cousins moved to table the substitute motion made by Senator Wood.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—18.

Bailey.	Floyd.
Bledsoe.	Holbrook.
Bowers.	Murphy.
Burkett.	Parr.
Clark.	Ridgeway.
Cousins.	Stuart.
Darwin.	Watts.
Davis.	Wirtz.
Doyle.	Woods.

Nays—9.

Baugh.	Rogers.
Lewis.	Thomas.
McMillin.	Turner.
Pollard.	Wood.
Rice.	

Present—Not Voting.

Witt.

(Pair Recorded.)

Senator Strong, present, who would vote nay with Senator Fairchild, absent, who would vote yea.

The roll was then called and the report was adopted by the following vote:

Yeas—26.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Woods.

Nays—3.

McMillin.	Wood.
Turner.	

Absent.

Fairchild.

H. B. No. 25—Free Conference Committee Report.

Senator Bowers called up the Free Conference Committee report on H. B. No. 25.

The Chair laid before the Senate the report of the Free Conference Committee, which was read as follows:

Committee Room,

Austin, Texas, May 11, 1923.

Hon. T. W. Davidson, President of the Senate and Hon. R. E. Seagler, Speaker of the House of Representatives:

Sirs: Your Conference Committee appointed to consider the difference between the two Houses upon

H. B. No. 25, A bill to be entitled "An Act amending Sections 1 and 2 of Chapter 78, General Laws, Second Called Session, Thirty-sixth Legislature, as amended by Chapter 61, of the General Laws, First Called Session, Thirty-seventh Legislature, making it unlawful for any person, directly or indirectly, to possess or receive for the purpose of sale, or to manufacture, sell, barter, exchange, transport, export, deliver, take orders for, solicit or furnish spirituous, vinous or malt liquors or medicated bitters capable of producing intoxication, or any other intoxicant whatever, or to possess, receive, manufacture, or knowingly sell, barter, exchange, transport, export, deliver, take orders for, solicit or furnish any equipment, still, mash, material, supplies, device or other

thing for manufacturing, selling, bartering, exchanging, transporting, exporting, delivering, taking orders for, soliciting or furnishing any such liquors, intoxicants or beverages, and making it unlawful for any person, directly or indirectly, to possess, or receive for the purpose of sale, or to manufacture, sell, barter, exchange, transport, export, deliver, take orders for, solicit or furnish spirituous, vinous or malt liquors or medicated bitters, or any potable liquor, mixture or preparation containing in excess of one per cent of alcohol by volume, or to possess, receive, manufacture, or knowingly sell, barter, exchange, export, deliver, take orders for, solicit, or furnish any equipment, still, mash, material, supplies, device or other thing for manufacturing, selling, bartering, exchanging, transporting, exporting, delivering, taking orders for, soliciting or furnishing any such liquors, intoxicants or beverages; and be further amended by adding thereto Section 2e making proof of possession of mash, or of a still or any device for manufacturing intoxicating liquors, or proof of the possession of more than one quart of intoxicating liquors, prima facie evidence of guilt wherever possession or receipt or possession or receipt for the purpose of sale, is made unlawful by this Act; and amending Chapter 78, General Laws, Second Called Session, Thirty-sixth Legislature, by adding Section 35e with reference to seizure and destruction of the vehicles and instrumentalities used for the violation of the liquor laws of this State; and declaring an emergency."

Have met and, after full and free conference, have agreed and do hereby make the recommendation that the following bill be substituted and the Conference Committee substitute in lieu of the original be passed by both Houses of the Thirty-eighth Legislature, all of which is respectfully submitted.

HARRINGTON,
DUNN,
PATTERSON,
BELL,
CRAWFORD,

On the part of the House.

BOWERS,
TURNER,
FLOYD,
BURKETT,
BAUGH.

On the part of the Senate.

By Bell.

H. B. No. 25.

A BILL

To Be Entitled

An Act amending Sections 1 and 2 of Chapter 78, General Laws, Second Called Session, Thirty-sixth Legislature, as amended by Chapter 61, of the General Laws, First Called Session, Thirty-seventh Legislature, making it unlawful for any person, directly or indirectly, to possess or receive for the purpose of sale, or to manufacture, sell, barter, exchange, transport, export, deliver, take orders for, solicit or furnish spirituous, vinous or malt liquors or medicated bitters capable of producing intoxication, or any other intoxicant whatever, or to possess, receive, manufacture, or knowingly sell, barter, exchange, transport, export, deliver, take order for, solicit or furnish any equipment, still, mash, material, supplies, device or other thing for manufacturing, selling, bartering, exchanging, transporting, exporting, delivering, taking orders for, soliciting or furnishing any such liquors, intoxicants or beverages, and making it unlawful for any person, directly or indirectly, to possess or receive for the purpose of sale, or to manufacture, sell, barter, exchange, transport, export, deliver, take orders for, solicit or furnish spirituous, vinous or malt liquors or medicated bitters, or any potable liquor, mixture or preparation containing an excess of one per cent of alcohol by volume, or to possess, receive, manufacture, or knowingly sell, barter, exchange, transport, export, deliver, take orders for, solicit or furnish any equipment, still, mash, material, supplies, device or other thing for manufacturing, selling, bartering, exchanging, transporting, exporting, delivering, taking orders for, soliciting or furnishing any such liquors, intoxicants or beverages; and be further amended by adding thereto Section 2e making proof of possession of mash, or of a still or any device for manufacturing intoxicating liquors, or proof of the possession of more than one quart of intoxicating liquors, prima facie evidence of guilt wherever possession or receipt, or possession or receipt for the purpose of sale, is made unlawful by this Act; and amending Chapter 78, General Laws, Second

Called Session, Thirty-sixth Legislature, by adding Section 35a with reference to seizure and destruction of the vehicles and instrumentalities used for the violation of the liquor laws of this State; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section A. That Sections 1 and 2 of Chapter 78, General Laws of the Second Called Session of the Thirty-sixth Legislature, as amended by Chapter 61, General Laws of the First Called Session of the Thirty-seventh Legislature, be and the same are hereby amended so as to hereafter read as follows:

"Section 1. That it shall be unlawful for any person, directly or indirectly, to possess or receive for the purpose of sale, to manufacture, sell, barter, exchange, transport, export, deliver, take orders for, solicit or furnish spirituous, vinous or malt liquors or medicated bitters capable of producing intoxication, or any other intoxicant whatever, or to possess, receive, manufacture, or knowingly sell, barter, exchange, transport, export, deliver, take orders for, solicit, or furnish any equipment, still, mash material, supplies, device or other thing for manufacturing, selling, bartering, exchanging, transporting, exporting, delivering, taking orders for, soliciting or furnishing any such liquors, intoxicants or beverages."

"Sec. 2. That it shall be unlawful for any person, directly or indirectly, to possess or receive for the purpose of sale, or to manufacture, sell, barter, exchange, transport, export, deliver, take orders for, solicit or furnish spiritous, vinous or malt liquors or medicated bitters, or any potable liquor, mixture or preparation containing in excess of one per cent of alcohol by volume, or to possess, receive, manufacture, or knowingly sell, barter, exchange, transport, export, deliver, take orders for, solicit or furnish any equipment still, mash, material supplies, device or other thing for manufacturing, selling, bartering, exchanging, transporting, exporting, delivering, taking orders for, soliciting or furnishing any such liquors, intoxicants or beverages."

Sec. B. That Sections 1 and 2 of Chapter 78 of the General Laws of the Second Called Session of the Thirty-sixth Legislature, as amended

by Chapter 61, of the General Laws, of the First Called Session of the Thirty-seventh Legislature, be and the same are hereby amended by adding thereto another section to be known as "Section 2e," reading as follows:

Sec. 2e. Wherever possession or receipt, or possession or receipt for the purpose of sale, is made unlawful by this Act, proof of possession of mash, or of a still or any device for manufacturing intoxicating liquors, or proof of the possession of more than one quart of intoxicating liquors, shall be prima facie evidence of guilt; but the defendant shall have the right to introduce evidence showing the legality of such possession.

Sec. C. That Chapter, 78 of the General Laws of the Second Called Session of the Thirty-sixth Legislature shall be and the same is hereby amended by adding thereto another section to be known as Section 35a, which Section 35a reads as follows:

Sec. 35a. Any animal, automobile, flying-machine, airplane, boat, ship or other vehicle or instrumentality used for the unlawful transportation or storage of intoxicating liquor, as defined in Sections 1 and 2 of this Act, is hereby declared to be a public nuisance; and any animal, automobile, flying-machine, airplane, boat, ship or other vehicle or instrumentality used in the presence and view of any peace officer of this State for the unlawful transportation or storage of intoxicating liquors as defined in Sections 1 and 2 of this Act, or for the commission of any act made unlawful by this Act, shall be seized without warrant by such peace officer, which officer shall within twenty-four hours after such seizure file with the county clerk a detailed statement of the time when, the place where and the circumstances under which he seized such property, and shall appraise the value thereof, and that at any time before the trial of the condemnation suit hereinafter provided for, the owner of said property seized or the person in whose possession or under whose control the same was at the time of seizure, may replevy the same by giving bond with two or more good and sufficient sureties, or a solvent guaranty or surety company, chartered or authorized to do business under the laws of this State, to be approved by

the officer making the seizure or by his successor in office, payable to the State of Texas in an amount equal to the reasonable market value of the property replevied as fixed by the appraisal of said officer seizing same, conditioned that should said property in said action be condemned as a nuisance, the obligors in such bond will pay to the State of Texas the reasonable cash market of the property replevied at the time it was seized, and all costs. And if the officer making such seizure shall fail to make such report and appraisal of the value of said property and file the same with the county clerk within twenty-four hours after such seizure thereof, he shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not exceeding five hundred dollars. In the event the property seized is not replevied, same shall be stored in a bonded warehouse, provided that if there is not a bonded warehouse in the county where such property is seized and within reasonable reach of the officer seizing same, then such property shall, under the direction of the district judge having jurisdiction of said suit, be stored in a safe place and be safely kept in good condition, to abide the final judgment of the proper court with reference thereto, the fees for storage to be taxed as costs in any proceeding for condemnation or recovery of said property. The county or district attorney shall, after the seizure of said property, institute suit in a court of competent jurisdiction to condemn the same as a public nuisance, and to have the same destroyed if the same is not valuable or useful for some legitimate purpose, and if valuable or useful for some legitimate purpose to be sold under order of said court, and the proceeds of such sale shall be immediately paid into the State Treasury. In cases where the property is destroyed the county or district attorney shall receive fifteen dollars in each case, and the sheriff or other officer making the seizure and sale shall receive ten dollars, to be paid by the county in which said condemnation suit is tried.

Sec. D. The importance of this Act in connection with law enforcement in this State and the necessity of it becoming a law as soon as pos-

sible creates an emergency and an imperative public necessity making necessary the suspension of the constitutional rule requiring bills to be read on three several days in each House, and that this Act shall take effect and be in force from and after its passage, and said rule is hereby suspended, and it is so enacted.

The report was adopted.

Special Committee Report.

By Senator Wood:

Committee Room,

Austin, Texas, May 14, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your committee appointed to investigate and report back to the Senate the approximate total of revenue that may be expected to be received by the State for the next two years, and the charges against same arising by virtue of deficiency, and appropriation bills passed to date, beg leave to report that we have consulted with the Board of Control, the State Tax Commissioner, the State Comptroller, and secured such information as was available from other sources; and from such information, we submit the following:

Estimated Revenue for Each of the Two Fiscal Years Ending August 31, 1924, and August 31, 1925, Respectively.

Ad valorem taxes (estimated)	\$ 9,916,000
Other sources (estimated)	7,778,000
Delinquent tax collection (based on old law)	650,000

Total revenue, not considering bills passed by this Legislature	\$18,344,000
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Additional Revenue Provided by This Legislature.

Inheritance tax (estimated)	\$ 500,000
Gross production tax on oil at two per cent (2%)	1,000,000

Gross production tax on sulphur at two per cent (2%)	300,000
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Total revenue that may be expected for each year	\$20,144,000
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Charges Against the Revenue for the First Year.

Deficiency as of August 31, 1923 (approximately)	\$ 4,365,000
Judiciary appropriation (approximately)	1,600,000
A. & M. land purchase	75,000
Reclamation (special appropriation)	20,000
Emergency appropriation for Adjutant General's Department	52,000
Emergency appropriation bill	300,000
Deficiency	15,400
Eleemosynary appropriation (approximately)	3,850,000
Departmental appropriation (approximately)	3,000,000
Educational appropriation bill (approximately)	6,000,000
Miscellaneous appropriation (approximately)	600,000
Total	\$19,877,400

Charges Against the Revenue for the Second Year.

Appropriations made at the Regular Session (approximately)	\$ 1,418,000
Judiciary appropriation (approximately)	1,575,000
A. & M. land purchase	75,000
Eleemosynary appropriation (approximately)	3,500,000
Departmental appropriation (approximately)	2,800,000
Educational appropriation bill (approximately)	6,000,000
Miscellaneous appropriations (approximately)	150,000
Total	\$15,518,000

It will be seen from the foregoing that the appropriations already

passed by both Houses, together with the deficiency as of August 31, 1923, will approximate \$35,000,000, while the revenue now in sight from sources above listed will approximate \$40,000,000. From this it would appear that safety would dictate that not more than \$5,000,000 to \$6,000,000 be appropriated out of the general revenue to supplement the available school fund and in aid of rural schools for both years, or a total for each year for said purposes of from \$2,500,000 to \$3,000,000.

However, we wish to state that the first two items of revenue listed above were obtained from the Board of Control, while the estimate of the Comptroller and Tax Commissioner agree that said items will approximate \$9,520,000 and \$6,450,000, respectively, a total of \$15,970,000, as against a total of \$17,694,000, as said items are listed above. Therefore, if the Comptroller and Tax Commissioner are correct, the total revenue for two years will be approximately \$3,500,000, less than as given above; and the amount that could be appropriated to supplement the available school fund and in aid of rural schools would be reduced proportionately.

Respectfully submitted,
WOOD,
WIRTZ,
WITT.

(Senator Lewis in the chair.)

Senate Concurrent Resolution No. 17.

By Senator Murphy::

Whereas, It is openly and publicly charged that the State convicts in the penitentiary and on the State farms are required by the Prison Commissioners, guards and other officers in charge of the penitentiary and the various farms to straddle a board 2x6 (two by six inches) elevated about ten (10) feet high, the upper edge of which is sharpened, and to remain thus stationed for hours at a time with nothing to support them, with both legs hanging; and,

Whereas, The physical punishment thus caused is continued and prolonged; and,

Whereas, The sensitiveness of that part of the person coming in contact with the sharpened edge of the upright 2x6 board results in immediate depression in the mental and nervous system which has the effect of degenerating those systems and will result in and cause insanity or abnormal development of criminal instincts and is injurious, severe, inhuman, and should not be countenanced in any civilized government. Therefore be it

Resolved, That the Penitentiary Commissioners be, and they are hereby requested to investigate these charges, and if any such acts are being committed in the penitentiary or on the farms, they are requested to prohibit same.

The resolution was read and adopted.

Communications.

By Senator Murphy:

Dr. W. H. Beazley,
State Health Officer,
City.

My Dear Doctor:

My I ask you to furnish me immediately and briefly your opinion as to the effect on the mental and nervous system of a man to require him to be elevated and straddle a 2x6 board 10 feet high, on the upper edge of which is sharpened, coming to a point.

The person placed upon this elevated board being required to remain sitting for hours at a time.

My opinion is that the sensitiveness of that part of the nervous system of the person coming in contact with the sharpened edge of the board would result in immediate irritation, causing a quickened and prolonged depression in the mental and nervous system, which disorder will have the effect to degenerate those systems.

If not inconsistent with your other pressing duties, would you mind replying to this today?

Very truly yours,
CHAS. MURPHY,

Senator 16th Senatorial District.

Austin, Texas, May 14, 1923.

Dr. W. H. Beazley,
Austin, Texas.

Dear Doctor: I am writing you this statement which is embodied in this letter pursuant to your request of today:

The etiology of insanity may be divisible, for practical purposes, into

two terms: heredity and strain. Heredity causes unstable nervous organization, strain may cause the faulty nervous system to collapse. Insanity rarely develops in individuals with properly adjusted and balanced nervous organization. The general constitution, the capacity to undergo fatigue and shock must be taken into consideration in determining the cause of mental and nervous diseases.

Violence and injury to the body may be a contributing factor in causing nervous and mental diseases, more particularly when accompanied by mental shock.

Yours fraternally,
RALPH E. CLOUD.

Riding the Mule.

Senator Charles Murphy,
Senate Chamber, Capitol.

Dear Sir: Replying to your letter of even date in reference to the probable after effects on the mental and nervous mechanism on an individual subjected to remaining straddled a sharpened 2x6 board for hours at a time, be advised that it is my opinion, after consulting with especially trained doctors on the nervous system and referring to authorities, that such subjection would in every instance be conducive to breaking down the nervous system to some extent. The extent would depend upon the length of time subjected, the resistance of the individual, and any degree of disease or nervous debility that might be existing at the time.

A perfectly healthy person having a normal nervous make-up might not be affected for many hours, whereas a person with a nervous make-up only sufficiently strong to meet ordinary demands might break down within a short time. To say the least, physical injury would result to the prostate gland and scarcely would the urethra escape. These are exceedingly sensitive, and the mere passing of a sound into the urethra produces sufficient shock to cause a distinct nervous chill, frequently.

Injury and violence frequently precipitates in a mental derangement. It being a fact, and generally conceded, that all criminals are mentally deranged to some extent, there is no doubt about such physical injuries, to a body already below par, precipitating insanity.

Hoping that this will answer your question, and waiting to be of any service within my bonds,

Very truly,
W. H. BEAZLEY,
State Health Officer.

S. J. R. No. 2.

On motion of Senator Murphy the committee substitute for S. J. R. No. 2, relating to contracts for labor of prisoners in the penitentiaries, was adopted.

S. B. No. 9 and H. B. No. 23 on Second Reading.

The Chair laid before the Senate as special order on its second reading,

S. B. No. 9, A bill to be entitled "An Act for the purpose of promoting the public school interest of rural schools and those of small towns, of aiding the people to provide adequate school facilities for the education of their children, by the appropriation of two million dollars per year or so much thereof as may be necessary, for the next two fiscal years, ending August 31st, 1924, and August 31st, 1925, respectively, allowing the State Board of Education and the State Superintendent of Public Instruction to aid such schools in accordance with the conditions herein specified; providing how such schools shall be located and school buildings constructed, furnished and maintained; providing certain requisites for the granting of such aid, and providing no school having over five hundred scholastics shall receive such aid, giving preference to all school districts in which the available school fund together with the local district tax will not maintain the school six months in the year; limiting the amount which any school may receive; providing for aid for schools where extraordinary conditions prevent school from meeting stated requirements; providing assistance for such rural schools as will afford instructions and demonstration in home and farm vocations, according to plans approved by the State Department of Education; providing assistance for small districts which effect consolidation during the next two fiscal years; providing for the expenses of administration by action of the State Board of Education; providing for reports to be made to the State Superintendent

of Public Instruction and the State Board of Education; providing for the manner of payment and disbursement of all money granted under the provisions of this Act; repealing all laws and parts of laws in conflict herewith."

The bill was read second time, whereupon, under the Senate rules, the Chair laid before the Senate, on its second reading,

H. B. No. 23, A bill to be entitled "An Act for the purpose of promoting the public school interests of rural schools and those of small towns, of aiding the people to provide adequate school facilities for the education of their children, by the appropriation of two million dollars per year, or so much thereof as may be necessary, for the next two fiscal years ending August 31, 1924, and August 31, 1925, respectively; allowing the State Board of Education and the State Superintendent of Public Instruction to aid such schools in accordance with the conditions herein specified; providing how such schools shall be located and school buildings constructed, furnished and maintained; providing certain prerequisites for the granting of such aid, and providing no school having over five hundred scholastics shall receive such aid; giving preference to all school districts in which the available school fund together with the local district tax will not maintain the school six months in the year; limiting the amount which any school may receive; providing for aid for schools where extraordinary conditions prevent schools from meeting stated requirements; providing assistance for such rural schools as will afford instruction and demonstration in home and farm vocations, according to plans approved by the State Department of Education; providing assistance for small districts which effect consolidation during two fiscal years; providing for the expenses of administration by action of the State Board of Education; providing for reports to be made to the State Superintendent of Public Instruction and to the State Board of Education; providing for the manner of payment and disbursement of all money granted under the provisions of this Act; repealing all laws and parts of laws in conflict herewith."

Being a bill on the same subject, the bill was read second time.

Senator Woods offered the following amendment to the bill:

Amend H. B. No. 23 as follows:

strike out the words and figures, "two million (\$2,000,000.00) dollars," where they occur in the bill and the caption, and insert in lieu thereof the words and figures, "one million (\$1,000,000.00) dollars."

Senator Rogers offered the following amendment to the amendment:

Amend the pending amendment by striking out "one million" for the second year and substituting in lieu thereof "\$500,000.00."

Senator Floyd moved to table the amendment to the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—18.

Bailey.	Holbrook.
Bledsoe.	Lewis.
Bowers.	Pollard.
Cousins.	Rice.
Darwin.	Strong.
Davis.	Stuart.
Doyle.	Thomas.
Fairchild.	Witt.
Floyd.	Woods.

Nays—11.

Baugh.	Rogers.
Clark.	Turner.
McMillin.	Watts.
Murphy.	Wirtz.
Parr.	Wood.
Ridgeway.	

Absent.

Burkett.

(Senator Floyd in the Chair.)

Senator Floyd moved the previous question on the amendment, and the main question was ordered.

The question then recurred on the amendment by Senator Woods.

Yeas and nays were demanded, and the amendment was adopted by the following vote:

Yeas—16.

Bailey.	Rice.
Baugh.	Ridgeway.
Clark.	Rogers.
Davis.	Turner.
Doyle.	Watts.
McMillin.	Witt.
Murphy.	Wood.
Parr.	Woods.

Nays—12.

Bledsoe.	Floyd.
Bowers.	Holbrook.
Burkett.	Lewis.
Cousins.	Pollard.
Darwin.	Stuart.
Fairchild.	Thomas.

(Pair Recorded.)

Senator Strong (present), who would vote nay; with Senator Wirtz (absent), who would vote yea.

Senator Strong offered the following amendment to the bill:

Amend H. B. No. 23, page 2, by striking out all of sub-division 4, Section 2, and inserting in lieu thereof the following: "No common or independent school district shall be eligible to receive aid unless it shall be providing for the maintenance of its schools by voting and collecting a local school tax of not less than fifty cents on the one hundred dollars of property valuation.

"Provided, however, that if a district be levying and collecting a tax of more than fifty cents of the one hundred dollars valuation of property it shall be entitled to aid if the available funds provided by the State per capita apportionment and the taxes raised by special levies will not provide for the maintenance of the school or schools of the district for the desired length of term."

(Lieutenant Governor T. W. Davidson in the Chair.)

Senator Rogers moved to table the amendment.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—13.

Baugh.	Ridgeway.
Bledsoe.	Rogers.
Davis.	Stuart.
Lewis.	Turner.
McMillin.	Witt.
Murphy.	Wood.
Parr.	

Nays—17.

Bailey.	Doyle.
Bowers.	Fairchild.
Burkett.	Floyd.
Clark.	Holbrook.
Cousins.	Pollard.
Darwin.	Rice.

Strong.
Thomas.
Watts.

Wirtz.
Woods.

The amendment was then adopted.

Senator Floyd offered the following amendments to the bill:

Amend H. B. No. 23, by adding a new section to be known as Section 14, reading as follows:

"Sec. 14. The fact that many of the rural public schools of the State require additional funds to pay the salaries of teachers for the scholastic years beginning September 1st, 1923, and ending August 31st, 1925, creates an emergency and imperative public necessity calling for the suspension of the constitutional rule requiring bills to be read on three several days, and such rule is hereby suspended and this Act shall take effect and be enforced from and after its passage, and it is so enacted."

Amend the caption of H. B. No. 23 by adding to the caption as follows: "and declaring an emergency."

The amendments were adopted.

Senator Ridgeway offered the following amendment to the bill:

Amend House Bill No. 23, by striking out all of Sections two, three, four, five, six, seven, eight, nine, ten, eleven and twelve and by inserting in lieu thereof the following, and re-numbering said bill to conform herewith:

"Sec. 2. The sums of money appropriated by Section one of this Act shall be apportioned to all of the public schools, of this State located in either common or independent school districts having a scholastic population not exceeding one hundred according to the last scholastic enumeration and shall be apportioned per capita to such schools according to their respective scholastic population, as shown by the last scholastic enumeration and shall be supplementary of, and in addition to the available school funds and all other funds that may be provided by law for the support and maintenance of such schools."

Senator Floyd moved the previous question on the amendment and the bill and the main question was ordered.

The amendment was lost.

H. B. No. 23 was then passed to third reading.

H. B. No. 23 on Third Reading.

On motion of Senator Floyd, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 23 was put upon its third reading and final passage by the following vote:

Yeas—25.

Bailey.	Lewis.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Strong.
Clark.	Stuart.
Cousins.	Thomas.
Darwin.	Turner.
Davis.	Watts.
Doyle.	Witt.
Fairchild.	Wood.
Floyd.	Woods.
Holbrook.	

Nays—4.

Murphy.	Rogers.
Ridgeway.	Wirtz.

Present—Not Voting.

McMillin.

The Chair then laid H. B. No. 23, before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—26.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	Parr.
Bowers.	Pollard.
Burkett.	Rice.
Clark.	Strong.
Cousins.	Stuart.
Darwin.	Thomas.
Davis.	Turner.
Doyle.	Watts.
Fairchild.	Witt.
Floyd.	Wood.
Holbrook.	Woods.

Nays—4.

Murphy.	Rogers.
Ridgeway.	Wirtz.

H. B. No. 60—Final Passage.

The Chair laid before the Senate for consideration at this time, H. B. No. 60, relating to Federal aid on State highways, the same having

been reconsidered and recalled from the House for correction.

Question: Shall the bill finally pass?

The roll was called and H. B. No. 60 was finally passed by the following vote:

Yeas—24.

Baugh.	Pollard.
Bledsoe.	Ridgeway.
Bowers.	Rogers.
Burkett.	Strong.
Clark.	Stuart.
Cousins.	Thomas.
Darwin.	Turner.
Floyd.	Watts.
Holbrook.	Wirtz.
McMillin.	Witt.
Murphy.	Wood.
Parr.	Woods.

Nays—5.

Bailey.	Fairchild.
Davis.	Rice.
Doyle.	

Absent.

Lewis.

Motion to Recess.

Senator Bailey moved that the Senate recess until 9 p. m. today, and the motion was lost.

S. B. No. 6 and H. B. No. 7 on Second Reading.

The Chair laid before the Senate as special order on its second reading.

S. B. No. 6, A bill to be entitled "An Act appropriating \$6,000,000.00 out of the State Treasury to aid all the public schools for the scholastic years beginning September 1, 1923, and ending August 31, 1925, the same to be distributed as the available school fund is now distributed; and declaring an emergency."

The bill was read second time, whereupon, under the Senate rules, the Chair laid before the Senate, on its second reading,

H. B. No. 7, A bill to be entitled "An Act to appropriate six million dollars (\$6,000,000.00) out of the General Funds of the State to aid all the public schools for the scholastic years beginning September 1, 1923, and ending August 31, 1925, the same to be distributed as the available school funds are now distributed."

The bill was read second time, and the committee report carrying amendment was adopted.

Senator Woods offered the following amendment to the bill:

Amend H. B. No. 7 as follows: Strike out the words and figures "six million dollars (\$6,000,000.00)" where they occur in the bill and in the caption and insert in lieu thereof the words and figures "four million dollars (\$4,000,000.00)".

The amendment was adopted.

The bill was then passed to third reading.

H. B. No. 7 on Third Reading.

On motion of Senator Clark, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 7 was put upon its third reading and final passage by the following vote:

Yeas—30.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

The Chair then laid H. B. No. 7 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

Bill on First Reading.

The following bill, introduced today, was read first time and referred to appropriate committee as follows:

By Senator Wood:

S. B. No. 113, A bill to be entitled "An Act making appropriation to supplement the mileage and per diem fund and contingent expense fund of the Second Called Session of the Thirty-eighth Legislature, convened on the 16th day of April, 1923, by proclamation of the Governor, providing how accounts may be approved and declaring an emergency."

To the Committee on Finance.

Recess.

On motion of Senator Murphy, the Senate at 6 p. m. recessed until 9 p. m. today.

Night Session.

The Senate met at 9 p. m. and was called to order by Lieutenant Governor T. W. Davidson.

H. B. No. 34 on Third Reading.

The Chair laid before the Senate as regular order on its third reading and final passage.

H. B. No. 34, A bill to be entitled "An Act making it a felony for any person to carry on or about his person, while violating the liquor laws any weapon or arms mentioned in Article 475 of the Penal Code, and also making it a felony for a person to have on or about his person or in any vehicle any weapon or arms mentioned in said Article 475 while such person has in his possession any intoxicating liquor as defined in our prohibition laws not procured from any person having the lawful right to sell same; prescribing penalties; and declaring an emergency."

The bill was read third time.

Senator Bailey moved to postpone further consideration of the bill indefinitely.

Yeas and nays were demanded, and the motion to postpone was lost by the following vote:

Yeas—12.

Bailey.	McMillin.
Baugh.	Rice.
Bledsoe.	Ridgeway.
Davis.	Stuart.
Doyle.	Witt.
Holbrook.	Wood.

Nays—14.

Bowers.	Pollard.
Burkett.	Rogers.
Clark.	Strong.
Cousins.	Turner.
Darwin.	Watts.
Floyd.	Wirtz.
Parr.	Woods.

Present—Not Voting.

Thomas.

Absent.

Fairchild.	Murphy.
Lewis.	

The bill was finally passed.

**S. B. No. 82—House Amendments
Concurred in.**

Senator Holbrook called up S. B. No. 82, and moved that the Senate concur in the following House amendments:

(1)

Amend S. B. No. 82, Section 5, by striking out the words and figures "four thousand (\$4,000.00)" in line four of said section and insert in lieu thereof the words and figures "five thousand (\$5,000.00)".

(2)

Amend S. B. No. 82, Section 2, by striking out the words and figures "four thousand (\$4,000.00)" and inserting in lieu thereof the words and figures "five thousand (\$5,000.00)".

Yeas and nays were demanded, and the motion to concur prevailed by the following vote:

Yeas—18.

Bailey.	Ridgeway.
Baugh.	Rogers.
Burkett.	Strong.
Clark.	Thomas.
Darwin.	Turner.
Davis.	Watts.
Holbrook.	Wirtz.
Parr.	Witt.
Pollard.	Wood.

Nays—9.

Cousins.	Murphy.
Doyle.	Rice.
Fairchild.	Stuart.
Floyd.	Woods.
McMillin.	
	Absent.

Bledsoe.	Lewis.
Bowers.	

H. B. No. 75 on Second Reading.

The Chair laid before the Senate as regular order on second reading,

H. B. No. 75, A bill to be entitled "An Act amending Article 2954 of the Revised Civil Statutes of Texas of 1911, providing that citizens of Texas who are qualified electors who shall reach the age of twenty-one years after the first day of February and before the day of the following election, shall be entitled to vote at such election without having paid a poll tax and without having obtained an exemption certificate; providing procedure in case the vote of such person is challenged, and declaring an emergency."

The bill was read second time, and was then passed to third reading.

H. B. No. 75 on Third Reading.

On motion of Senator Burkett, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 75 was put upon its third reading and final passage by the following vote:

Yeas—29.

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Bowers.	Ridgeway.
Burkett.	Rogers.
Clark.	Strong.
Cousins.	Stuart.
Darwin.	Thomas.
Davis.	Turner.
Doyle.	Watts.
Fairchild.	Wirtz.
Floyd.	Witt.
Holbrook.	Wood.
McMillin.	Woods.
Murphy.	
	Absent.
Lewis.	

The Chair then laid H. B. No. 75 before the Senate on its third reading and final passage.

The bill was read third time and passed.

S. B. No. 29—Free Conference Committee Report.

Senator Woods called up the Free Conference Committee report on S. B. No. 29.

The Chair laid before the Senate, the report of the Free Conference Committee, which was read, as follows:

Committee Room,

Austin, Texas, May 14, 1923.

Hon. T. W. Davidson, President of the Senate, and Hon. R. E. Seagler, Speaker of the House of Representatives.

Sirs: We, your committee appointed by the Senate and House to consider the difference between the Senate and the House on S. B. No. 29, beg leave to report that it has had same under consideration, and has reached an agreement for the adjustment of said difference as follows:

The Senate accedes to the House amendment appropriating the sum of one thousand dollars to Mrs. M. E. Wheeler to this extent: said amendment shall be reduced in amount to the sum of five hundred and twenty dollars and shall read as follows:

"To pay Mrs. M. E. Wheeler, assistant guide in charge of paintings, eight months—January 1, 1923, to August 31, 1923, at the rate of \$65.00 per month...\$ 520.00

The Senate accedes to the following House amendment:

"To pay salaries and necessary traveling expenses of Special Justices of the Supreme Court to August 31, 1923.....\$ 2,000.00

"To pay salary of the Judge of the Court at Law at Texarkana, Texas, for months of June, July and August, 1923\$ 750.00

"For freight and handling charges on surplus war equipment destined for use in maintaining the State highway system, to be available for the balance of the present fiscal year ending August 31, 1923, and to be paid out of the State highway fund...\$40,000.00"

The committee agrees that the item for \$1,000.00, for chairs and desks bought for the use of the House of Representatives shall be agreed to in the following form, in lieu of the original House amendment:

"To pay the Swann-Schulle Furniture Company of Austin for eight chairs for the use of the House of Representatives, \$22.10 each\$ 176.80

"To pay Calcasieu Lumber Company for eight desks for the use of the House of Representatives, at \$55.25 each\$ 442.00"

The committee has also agreed upon the insertion of the following item:

"To pay premiums on surety bonds for the State Treasurer and certain employees in his Department, to August 31, 1923....\$ 131.95"

WOODS,
COUSINS,
THOMAS,
BLED SOE,

On the part of the Senate.

SANFORD,
McNATT,
DODD,

On the part of the House.

The roll was called, and the report was adopted by the following vote:

Yeas—27.

Bailey.	Darwin.
Baugh.	Davis.
Bledsoe.	Doyle.
Burkett.	Floyd.
Clark.	Holbrook.
Cousins.	McMillin.

Murphy.	Thomas.
Parr.	Turner.
Pollard.	Watts.
Rice.	Wirtz.
Ridgeway.	Witt.
Rogers.	Wood.
Strong.	Woods.
Stuart.	

Nays—1.

Fairchild.

Absent.

Bowers.

Lewis.

S. B. No. 88 on Final Passage.

Senator Fairchild called up S. B. No. 88, amending pure food laws, which was read third time on May 10, and laid on the table subject to call. The Chair laid the bill before the Senate and it was finally passed.

H. B. No. 12—Motion to Take Up.

Senator Bailey moved that the Senate rule requiring bills to lie over one day be suspended and that the Senate take up H. B. No. 12.

The roll was called and the motion was lost by the following vote:

Yeas—12.

Bailey.	Ridgeway.
Bledsoe.	Stuart.
Clark.	Turner.
Fairchild.	Witt.
Holbrook.	Wood.
Murphy.	Woods.

Nays—15.

Baugh.	Pollard.
Burkett.	Rice.
Cousins.	Rogers.
Darwin.	Strong.
Davis.	Thomas.
Floyd.	Watts.
McMillin.	Wirtz.
Parr.	

Absent.

Bowers.
Doyle.

Lewis.

H. B. No. 77 on Second Reading.

The Chair laid before the Senate as regular order, on second reading,

H. B. No. 77, A bill to be entitled "An Act to authorize any county for

the purpose of constructing and maintaining and operating public roads whether such roads are macadamized, graveled or paved or built of other material, to use timber, earth, sand, stone, gravel, or other necessary materials convenient therefor, and to provide for the condemnation of such road material, and prescribing condemnation proceeding, and providing compensation for such material, and declaring an emergency."

The Senate rule requiring committee reports to lie over one day was suspended by unanimous consent, and the committee report that the bill be not printed was adopted.

The bill was then passed to third reading.

H. B. No. 77 on Third Reading.

On motion of Senator Bledsoe, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 77 was put on its third reading and final passage by the following vote:

Yeas—28.

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
McMillin.	Wood.
Murphy.	Woods.

Absent.

Bowers.

Lewis.

The Chair then laid H. B. No. 77 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—26.

Baugh.	Davis.
Bledsoe.	Doyle.
Burkett.	Fairchild.
Clark.	Floyd.
Cousins.	Holbrook.
Darwin.	McMillin.

Murphy.	Thomas.
Parr.	Turner.
Pollard.	Watts.
Rice.	Wirtz.
Ridgeway.	Witt.
Rogers.	Wood.
Stuart.	Woods.

Nays—2.

Bailey.	Strong.
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Absent.

Bowers.	Lewis.
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**S. B. No. 63—House Amendments
Concurred in.**

Senator Thomas called up S. B. No. 63 and moved that the Senate concur in the following House amendments:

S. B. No. 63, page 2, Section 6, by striking out the words "inside the walls of" and insert the word "at".

The Chair laid the bill before the Senate, and the House amendments were concurred in.

H. B. No. 220 on Second Reading.

The Chair laid before the Senate as regular order on its second reading.

H. B. No. 220, A bill to be entitled "An Act to amend Chapter 10 of Title 48 of the Revised Civil Statutes of 1911 relating to the powers and duties of the State Board of Education with reference to the purchase of bonds for the account of the State Permanent School Fund by adding to said chapter immediately after Article 2740 a new article to be known as Article 2740a, and validating the purchase of bonds by the State Board of Education purchased on deferred payments of the purchase price as of the time of the payment of the first installment thereon and prescribing certain duties of the State Board of Education, the State Treasurer and the State Comptroller of Public Accounts with reference to allowing credits on certain interest coupons by reason of deferred payments of the purchase price thereof and limiting the provisions of this Act to bonds purchased subsequent to September 1, 1920; repealing all laws and parts of laws in conflict

herewith, and declaring an emergency."

The bill was read second time, the committee report that it be not printed was adopted and was passed to third reading.

H. B. No. 220 on Third Reading.

On motion of Senator Baugh the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 220 was put upon its third reading and final passage by the following vote:

Yeas—27.

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Ridgeway.
Burkett.	Rogers.
Clark.	Strong.
Cousins.	Stuart.
Darwin.	Thomas.
Davis.	Turner.
Doyle.	Watts.
Fairchild.	Wirtz.
Floyd.	Witt.
Holbrook.	Wood.
McMillin.	Woods.
Murphy.	

Nays—1.

Rice.

Absent.

Bowers.	Lewis.
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The Chair then laid H. B. No. 220 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—27.

Baugh.	Pollard.
Bledsoe.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
McMillin.	Wood.
Murphy.	Woods.
Parr.	

Nays—1.

Bailey.

Absent.

Bowers.

Lewis.

H. B. No. 126 on Second Reading.

On motion of Senator Clark, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 126 was put on its second reading and passage to third reading by the following vote:

Yeas—28.

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
McMillin.	Wood.
Murphy.	Woods.

Absent.

Bowers.

Lewis.

The Chair then placed before the Senate on its second reading,

H. B. No. 126, A bill to be entitled "An Act to protect and promote the fruit and vegetable industry of this State, and to protect the growers, shippers and consumers of fruits and vegetables grown within this State, and to protect and promote the reputation of such fruits and vegetables grown within this State in foreign and domestic markets, and to protect the public against the imposition of fraud in the purchase of such fruits and vegetables by establishing standards for containers, packs and grades for such fruits and vegetables; regulating the manufacture of containers within this State for sale within this State; prescribing the duties of the Commissioner of Markets and Warehouses of this State for the enforcement of this Act; prohibiting the use of containers, other than established by this Act, for packaging or packing fruits and vegetables grown within this State; inhibiting the packing, selling or transporting of such fruits and vegetables which are unfit for human consumption; pro-

hibiting the degrading or adulteration of such fruits and vegetables; providing for inspection of same and fixing the amount of fees which may be charged therefor; establishing a special fund and appropriating the same for carrying out the purposes of this Act; providing for the branding or marketing of containers, when filled; providing for the issuance of inspection certificates and making such certificates prima facie evidence, as to the grade, quality and condition of the commodity at the time of inspection, for which it was issued; authorizing the Commissioner of Markets and Warehouses of this State to promulgate standards of containers, grades and packs in conformity with those hereafter established by Congress, or the Secretary of Agriculture of the United States, and to promulgate such other standards of containers, grades and packs and grade names, as in his judgment are expedient and to the best interest of the fruit and vegetable growers of this State; providing for tolerances; providing for supervision of the grading and packing of fruits grown within this State by the Commissioner of Markets and Warehouses or inspectors appointed by him; inhibiting the manufacture and sale of containers other than standard within this State for use within this State; defining terms used in this Act; repealing certain laws and all other laws in conflict herewith, and declaring an emergency."

The bill was read second time.

The Senate rule requiring committee reports to lie over one day was suspended by unanimous consent, and the committee report that the bill be not printed was adopted.

H. B. No. 126 was then passed to third reading.

H. B. No. 126 on Third Reading.

On motion of Senator Clark, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 126 was put on its third reading and final passage by the following vote:

Yeas—28.

Bailey.	Cousins.
Baugh.	Darwin.
Bledsoe.	Davis.
Burkett.	Doyle.
Clark.	Fairchild.

Floyd.	Strong.
Holbrook.	Stuart.
McMillin.	Thomas.
Murphy.	Turner.
Parr.	Watts.
Pollard.	Wirtz.
Rice.	Witt.
Ridgeway.	Wood.
Rogers.	Woods.

Absent.

Bowers.	Lewis.
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The Chair then laid H. B. No. 126 before the Senate on its third reading and final passage.

The bill was read third time and passed.

H. B. No. 86 on Second Reading.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 86 was put on its second reading and passage to third reading by the following vote:

Yeas—23.

Baugh.	Rice.
Bledsoe.	Ridgeway.
Burkett.	Rogers.
Clark.	Strong.
Cousins.	Stuart.
Doyle.	Thomas.
Fairchild.	Turner.
Holbrook.	Wirtz.
McMillin.	Witt.
Murphy.	Wood.
Parr.	Woods.
Pollard.	

Nays—5.

Bailey.	Floyd.
Darwin.	Watts.
Davis.	

Absent.

Bowers.	Lewis.
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The Chair then placed before the Senate on its second reading,

H. B. No. 86, A bill to be entitled "An Act to require the payment of interest on certain deposits required from water, light, gas and telephone companies within this State; requiring the making of annual reports; providing penalties for violations hereof; providing certain revenues, and declaring an emergency."

The bill was read second time.

The Senate rule requiring committee reports to lie over one day was

suspended by unanimous consent, and the committee report carrying the following committee amendment was adopted:

The committee report that the bill be not printed was also adopted.

"Amend H. B. No. 86 by striking out all of Section 2, and by renumbering the following sections."

H. B. No. 86 was then passed to third reading.

H. B. No. 86 on Third Reading.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 86 was put on its third reading and final passage by the following vote:

Yeas—22.

Baugh.	Parr.
Bledsoe.	Pollard.
Burkett.	Rice.
Clark.	Ridgeway.
Cousins.	Rogers.
Darwin.	Strong.
Davis.	Thomas.
Fairchild.	Turner.
Holbrook.	Witt.
McMillin.	Wood.
Murphy.	Woods.

Nays—5.

Bailey.	Stuart.
Doyle.	Watts.
Floyd.	

Absent.

Bowers.	Wirtz.
Lewis.	

The Chair then laid H. B. No. 86 before the Senate on its third reading and final passage.

The bill was read third time and passed.

S. B. No. 105 and H. B. No. 66 on Second Reading.

On motion of Senator Ridgeway, by unanimous consent, the regular order was suspended, and the Senate took up out of its regular order,

S. B. No. 105, A bill to be entitled "An Act regulating the lighting of all motor vehicles in Texas, providing for the testing of such lighting devices and the approval of same by the State Highway Commission before being used on any motor vehicle operated within this State; giving

the Highway Commission power to conduct such test and providing that they shall charge a fee sufficient to cover the actual expense of conducting such test; providing penalties for the violation of this Act and repealing all laws in conflict herewith and declaring an emergency."

The Chair laid the bill before the Senate and it was read second time. Whereupon the Chair, under the Senate rule, laid before the Senate the following bill on the same subject:

H. B. No. 66, A bill to be entitled "An Act regulating the lighting of all motor vehicles in Texas, providing for the testing of such lighting devices and the approval of same by the State Highway Commission before being used on any motor vehicle operated within this State; giving the Highway Commission power to conduct such test, and providing that they shall charge a fee sufficient to cover the actual expense of conducting such test; providing penalties for the violation of this Act, and repealing all laws in conflict herewith, and declaring an emergency."

Senator Ridgeway moved to suspend the Senate rule requiring committee reports to lie over one day.

The roll was called and the rule was suspended by the following vote:

Yeas—24.

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Ridgeway.
Burkett.	Strong.
Clark.	Stuart.
Cousins.	Thomas.
Darwin.	Turner.
Davis.	Watts.
Doyle.	Wirtz.
Floyd.	Witt.
Holbrook.	Wood.
Murphy.	Woods.

Nays—3.

Fairchild.	Rice.
McMillin.	Absent.
Bowers.	Rogers.
Lewis.	

H. B. No. 66 on Second Reading.

On motion of Senator Ridgeway, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H.

B. No. 66 was put upon its second reading and passage to engrossment by the following vote:

Yeas—25.

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Ridgeway.
Burkett.	Strong.
Clark.	Stuart.
Cousins.	Thomas.
Darwin.	Turner.
Davis.	Watts.
Doyle.	Wirtz.
Floyd.	Witt.
Holbrook.	Wood.
McMillin.	Woods.
Murphy.	

Nays—2.

Fairchild.	Rice.
	Absent.
Bowers.	Rogers.
Lewis.	

The Chair then laid H. B. No. 66 before the Senate, it was read second time, and the committee report that it be not printed was adopted.

Senator Fairchild moved to postpone further consideration of the bill indefinitely, and the motion was lost.

Question then recurred on the passage of the bill to third reading.

Yeas and nays were demanded, and the bill was passed to third reading by the following vote:

Yeas—13.

Baugh.	Ridgeway.
Bledsoe.	Stuart.
Burkett.	Thomas.
Clark.	Turner.
Davis.	Witt.
Parr.	Wood.
Pollard.	

Nays—12.

Bailey.	Holbrook.
Cousins.	McMillin.
Darwin.	Murphy.
Doyle.	Rice.
Fairchild.	Watts.
Floyd.	Wirtz.

Present—Not Voting.

Woods.	Absent.
Bowers.	Rogers.
Lewis.	Strong.

H. B. No. 66—Motion to Suspend.

Senator Ridgeway moved to suspend the constitutional rule requiring bills to be read on three several days in each House and that H. B. No. 66 be put on its third reading and final passage. The motion was lost by the following vote, not receiving the necessary four-fifths majority:

Yeas—17.

Baugh.	Strong.
Bledsoe.	Stuart.
Burkett.	Thomas.
Clark.	Turner.
Cousins.	Wirtz.
Davis.	Witt.
Parr.	Wood.
Pollard.	Woods.
Ridgeway.	

Nays—10.

Bailey.	Holbrook.
Darwin.	McMillin.
Doyle.	Murphy.
Fairchild.	Rice.
Floyd.	Watts.

Absent.

Bowers	Rogers.
Lewis.	

H. B. No. 245 on Second Reading.

On motion of Senator Bledsoe, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 245 was put on its second reading and passage to third reading by the following vote:

Yeas—26.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Burkett.	Rice.
Clark.	Ridgeway.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Wood.
McMillin.	Woods.

Absent.

Bowers.	Rogers.
Lewis.	Witt.

The Chair then placed before the Senate on its second reading,

H. B. No. 245, A bill to be entitled "An Act placing a closed season of five years on antelope, mountain sheep, wild pheasant, wild woodcock, wild wood duck, and wild prairie chicken; providing a penalty for the violation of same; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time.

The Senate rule requiring committee reports to lie over one day was suspended by unanimous consent, and the committee report that the bill be not printed was adopted.

H. B. No. 245 was then passed to third reading.

H. B. No. 245 on Third Reading.

On motion of Senator Bledsoe the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 245 was put on its third reading and final passage by the following vote:

Yeas—27.

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Burkett.	Ridgeway.
Clark.	Strong.
Cousins.	Stuart.
Darwin.	Thomas.
Davis.	Turner.
Doyle.	Watts.
Fairchild.	Wirtz.
Floyd.	Witt.
Holbrook.	Wood.
McMillin.	Woods.
Murphy.	

Absent.

Bowers.	Rogers.
Lewis.	

The Chair then laid H. B. No. 245 before the Senate on its third reading and final passage.

The bill was read third time and passed.

H. B. No. 114 on Second Reading.

On motion of Senator Cousins the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 114 was put on its second reading and passage to third reading by the following vote:

Yeas—27.

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Burkett.	Ridgeway.
Clark.	Strong.
Cousins.	Stuart.
Darwin.	Thomas.
Davis.	Turner.
Doyle.	Watts.
Fairchild.	Wirtz.
Floyd.	Witt.
Holbrook.	Wood.
McMillin.	Woods.
Murphy.	

Absent.

Bowers.	Rogers.
Lewis.	

The Chair then placed before the Senate on its second reading,

H. B. No. 114, A bill to be entitled "An Act to safeguard the public in the purchase of pure-bred cotton seed true to name; creating a State Board of plant breeder examiners, defining their duties, establishing a system of registration and certification; providing that the State board of plant breeder examiners shall prescribe all necessary rules and regulations and pass upon the application of breeders and growers for registration and certification; providing further that the Commissioner of Agriculture shall make the necessary inspection for the proper enforcement of said Act, and shall have printed tags to be placed upon bags and other containers of cotton seed offered for sale under the terms of this Act, and charge a fee for same; and to enforce the provisions of this Act; prescribing penalties for the violation of said Act; providing that this Act shall be cumulative of Chapter 62, Acts of the Second Called Session of the Thirty-sixth Legislature, and declaring an emergency."

The bill was read second time..

The Senate rule requiring committee reports to lie over one day was suspended by unanimous consent, and the committee report that the bill be not printed was adopted.

H. B. No. 114 was then passed to third reading.

H. B. No. 114 on Third Reading.

On motion of Senator Cousins, the constitutional rule requiring bills to

be read on three several days in each House was suspended, and H. B. No. 114 was put on its third reading and final passage by the following vote:

Yeas—21.

Bailey.	Parr.
Burkett.	Pollard.
Clark.	Rice.
Cousins.	Ridgeway.
Darwin.	Strong.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Wirtz.
Floyd.	Witt.
Holbrook.	Wood.
Murphy.	

Nays—4.

Baugh.	Stuart.
McMillin.	Watts.

Present—Not Voting.

Woods.

Absent.

Bledsoe.	Lewis.
Bowers.	Rogers.

The Chair then laid H. B. No. 114 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—14.

Burkett.	Pollard.
Clark.	Ridgeway.
Cousins.	Thomas.
Darwin.	Turner.
Davis.	Wirtz.
Fairchild.	Witt.
Floyd.	Wood.

Nays—9.

Baugh.	Strong.
Doyle.	Stuart.
McMillin.	Watts.
Parr.	Woods.
Rice.	

Present—Not Voting.

Murphy.

Absent.

Bailey.	Holbrook.
Bledsoe.	Lewis.
Bowers.	Rogers.

H. B. No. 186 on Second Reading.

On motion of Senator Stuart, the constitutional rule requiring bills to be read on three several days in

each House was suspended, and H. B. No. 186 was put on its second reading and passage to third reading by the following vote:

Yeas—21.

Baugh.	Ridgeway.
Burkett.	Strong.
Clark.	Stuart.
Cousins.	Thomas.
Davis.	Turner.
Doyle.	Watts.
Fairchild.	Wirtz.
Floyd.	Witt.
Murphy.	Wood.
Parr.	Woods.
Pollard.	

Present—Not Voting.

McMillin.	Rice.
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Absent.

Bailey.	Holbrook.
Biedsoe.	Lewis.
Bowers.	Rogers.
Darwin.	

The Chair then placed before the Senate on its second reading,

H. B. No. 186, A bill to be entitled "An Act to amend Sections 3 and 20 of House Bill No. 13, passed at the Regular Session of the Thirty-eighth Legislature and approved by the Governor on February 28, 1923, and being 'An Act providing for the licensing, bonding and regulating of private employment agents; limiting the fee charged by such agents; providing for the cancellation of such license; prescribing the duties of the Commissioner of Labor Statistics for the State of Texas with reference to the enforcement of this Act; providing for recoveries on said bond; fixing penalties for the violations of this Act; creating a special fund for the enforcement of this Act and appropriating same for said purposes; repealing certain laws and all laws or parts of laws in conflict herewith and declaring an emergency,' and to further amend said House Bill No. 13 by adding after Section 20 thereof a new section to be known as Section 20a; the purpose of these amendments is to permit the issuance of licenses to residents of this State to engage in the business of employment agents; to remove discrimination against alien residents of this State who desire to

engage in said business; to require certain statements to be made in application for license and to fix the amount and form of bond required to be given by those who are licensed to engage in the business; and to define certain offenses and prescribe penalties therefor; and to provide for restraining by injunction of any person or persons pursuing the business of employment agents or conducting an employment office without first having obtained a license therefor, and declaring an emergency."

The bill was read second time.

The Senate rule requiring committee reports to lie over one day was suspended by unanimous consent, and the committee report that the bill be not printed was adopted.

H. B. No. 186 was then passed to third reading.

H. B. No. 186 on Third Reading.

On motion of Senator Stuart, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 186 was put on its third reading and final passage by the following vote:

Yeas—23.

Baugh.	Pollard.
Burkett.	Rice.
Clark.	Ridgeway.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Wirtz.
Floyd.	Witt.
McMillin.	Wood.
Murphy.	Woods.
Parr.	

Present—Not Voting.

Watts.

Absent.

Bailey.	Holbrook.
Biedsoe.	Lewis.
Bowers.	Rogers.

The Chair then laid H. B. No. 186 before the Senate on its third reading and final passage.

The bill was read third time and passed.

H. B. No. 110 on Second Reading.

On motion of Senator Wirtz, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 110 was put on its second reading and passage to third reading by the following vote:

Yeas—24.

Baugh.	Pollard.
Burkett.	Rice.
Clark.	Ridgeway.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
McMillin.	Witt.
Murphy.	Wood.
Parr.	Woods.

Absent.

Bailey.	Holbrook.
Bledsoe.	Lewis.
Bowers.	Rogers.

The Chair then placed before the Senate on its second reading.

H. B. No. 110, A bill to be entitled "An Act to regulate the packing and the marking of packages and containers; requiring the net quantity of the contents of such package or containers to be plainly and conspicuously marked on the outside of package or container; defining the term 'container'; giving authority to the State Superintendent of Weights and Measures to supervise the enforcement of this Act; providing for penalties for the enforcement of the Act; repealing Section 8, Chapter 130, Acts of the Regular Session of the Thirty-sixth Legislature and all laws in conflict, and declaring an emergency."

The bill was read second time.

The Senate rule requiring committee reports to lie over one day was suspended by unanimous consent, and the committee report that the bill be not printed was adopted.

H. B. No. 110 was then passed to third reading.

H. B. No. 110 on Third Reading.

On motion of Senator Wirtz, the constitutional rule requiring bills to

be read on three several days in each House was suspended, and H. B. No. 110 was put on its third reading and final passage by the following vote:

Yeas—24.

Baugh.	Pollard.
Burkett.	Rice.
Clark.	Ridgeway.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
McMillin.	Witt.
Murphy.	Wood.
Parr.	Woods.

Absent.

Bailey.	Holbrook.
Bledsoe.	Lewis.
Bowers.	Rogers.

The Chair then laid H. B. No. 110 before the Senate on its third reading and final passage.

The bill was read third time and passed.

Relating to Correct Time.

By Senator Pollard:

I move that the Sergeant-at-Arms be instructed to phone Western Union, get the correct time, and set the clock accordingly thereto.

The Chair ruled that the Senate operated by the Senate clock and not the Western Union time, therefore that the motion was not in order.

H. B. No. 67—Motion to Suspend.

Senator Burkett moved to suspend the constitutional rule requiring bills to be read on three several days in each House, and that H. B. No. 67 be put on its second reading and passage to third reading. The motion was lost by the following vote, not receiving the necessary four-fifths majority:

Yeas—17.

Baugh.	Davis.
Burkett.	Doyle.
Clark.	Floyd.
Cousins.	Parr.
Darwin.	Pollard.

Ridgeway.	Turner.
Strong.	Witt.
Stuart.	Wood.
Thomas.	

Nays—6.

Fairchild.	Rice.
McMillin.	Wirtz.
Murphy.	Woods.

Absent.

Bailey.	Rogers.
Bledsoe.	Lewis.
Bowers.	Watts.
Holbrook.	

H. B. No. 111 on Second Reading.

On motion of Senator Floyd, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 111 was put on its second reading and passage to third reading by the following vote:

Yeas—19.

Baugh.	Ridgeway.
Burkett.	Strong.
Clark.	Stuart.
Darwin.	Thomas.
Davis.	Turner.
Doyle.	Wirtz.
Floyd.	Witt.
McMillin.	Wood.
Murphy.	Woods.
Parr.	

Nays—2.

Fairchild.	Rice.
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Present—Not Voting.

Pollard.

Absent.

Bailey.	Holbrook.
Bledsoe.	Lewis.
Bowers.	Rogers.
Cousins.	Watts.

The Chair then placed before the Senate on its second reading.

H. B. No. 111, A bill to be entitled "An Act to prohibit the reckless driving and operation of motor vehicles on the public highways of the State of Texas, and prescribing penalties therefor, and defining reckless driving and operation."

The bill was read second time.

The Senate rule requiring committee reports to lie over one day was suspended by unanimous consent, and the committee report that the bill be not printed was adopted.

H. B. No. 111 was then passed to third reading.

H. B. No. 44 on Second Reading.

The Chair laid before the Senate as regular order on its second reading.

H. B. No. 44, A bill to be entitled "An Act to establish and maintain a State School of Correspondence at Austin, Texas; to provide for all courses of study by correspondence that supply the needs of Texas people; to provide for the appointment of an executive board for same and prescribe their duties; to provide for the appointment of members of the faculty, prescribe their duties, and provide for the salaries of members of said faculty, and declaring an emergency."

The bill was read the second time, the committee report that the bill be not printed was adopted, and the bill passed to third reading.

H. B. No. 44 on Third Reading.

Senator Clark moved that the constitutional rule be suspended, and that the Senate place on third reading and final passage, H. B. No. 44.

The motion prevailed.

The Chair then laid before the Senate, H. B. No. 44, on third reading and final passage.

The bill was read third time and passed.

S. B. No. 3—Free Conference Committee Report.

Senator Wood presented the Free Conference Committee report on S. B. No. 3, which was read as follows:

Committee Room,

Austin, Texas, May 14, 1923.

Hon. T. W. Davidson, President of the Senate; Hon. R. E. Seagler, Speaker of the House of Representatives:

Sirs: We, your Conference Committee, to whom was referred S. B.

No. 3, have had the same under consideration and beg leave to report to the two Houses that we have settled the differences between the House and the Senate on said bill and recommend the passage of the following substitute bill:

By Dudley and Wood S. B. No. 3.

A BILL

To be Entitled

An Act making appropriations to pay the salaries of officers and employees of certain educational institutions and other expenses of maintaining and conducting them as follows, to-wit: University of Texas, including the Medical Branch at Galveston, and the College of Mines and Metallurgy at El Paso, Agricultural and Mechanical College, State Experimental Stations, Prairie View Normal and Industrial College, John Tarleton Agricultural College, Grubbs Vocational College, hereafter to be known as the North Texas Junior Agricultural College, College of Industrial Arts, Texas Technological College, Sam Houston State Teachers' College at Huntsville, Southwest Texas State Teachers College at San Marcos, North Texas State

Teachers College at Denton, West Texas State Teachers' College at Canyon, East Texas State Teachers College at Commerce, Sul Ross State Teachers College at Alpine, Stephen F. Austin State Teachers College at Nacogdoches, South Texas State Teachers College at Kingsville, Texas School for the Blind, and Texas School for the Deaf, for the years beginning September 1, 1923, and ending August 31, 1925, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That all fees and the following sums of money, or as much thereof as may be necessary, be and the same are hereby appropriated to pay the salaries of officers and employees and other expenses necessary for the support and maintenance of certain educational institutions of the State, to-wit:

UNIVERSITY OF TEXAS

For the maintenance, support and direction of the University of Texas, including the Medical Branch at Galveston, and the College of Mines and Metallurgy at El Paso, including construction of buildings for the years beginning September 1, 1923, and ending August 31st, 1925, all the available University funds, including interest from its bonds, land notes, donations, gifts, and all receipts whatsoever from any source, provided, that all available University funds, fees excepted, shall be used for buildings, permanent equipment, improvements and repairs.

For the maintenance, support and direction of the University of Texas, including the Medical Branch at Galveston, and the College of Mines and Metallurgy at El Paso, for the two years, beginning September 1, 1923, and ending August 31st, 1925, from the general revenue, provided that one warrant may be issued by the State Comptroller to cover signed monthly pay roll; and for bills embracing charges against the several items herein, and with such changes and substitutions within the totals of the following groups for the University of Texas, including the Medical Branch at Galveston, and the College of Mines and Metallurgy at El Paso, as the Board of Regents may deem necessary.

MAIN UNIVERSITY.

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Total salaries	\$1,100,000.00	\$1,100,000.00
Departments and laboratories	60,000.00	60,000.00
Current expenses	125,000.00	125,000.00
Bureau of Economic Geology and Technology	19,000.00	19,000.00
Bureau of Extension	12,000.00	12,000.00
Total for Main University	\$1,316,000.00	\$1,316,000.00

MEDICAL BRANCH.

Total salaries	135,000.00	135,000.00
Departments and laboratories	18,000.00	18,000.00
Current expenses	10,000.00	10,000.00
Total for Medical Branch	\$ 163,000.00	\$ 163,000.00

COLLEGE OF MINES AND METALLURGY.

Total salaries	\$ 35,000.00	\$ 35,000.00
Departments and laboratories	5,500.00	5,500.00
Current expenses	7,000.00	7,000.00

Total for College of Mines and Metallurgy	\$ 47,500.00	\$ 47,500.00
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Grand Total for the University of Texas and its Branches \$1,526,500.00 \$1,526,500.00

To pay Miss Lavinia Harville, assistant in the Library in the University of Texas, and we recommend that she be retained for life \$ 1,000.00 \$ 1,000.00

Provided that any of the money herein appropriated which may be used for printing and binding is hereby authorized to be used to reimburse the University Press for any printing or binding done for the University and its branches and those having control of any such appropriations are authorized to have the printing and binding done by the University Press.

AGRICULTURAL AND MECHANICAL COLLEGE.

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Total salaries	\$ 500,000.00	\$ 512,000.00
Administrative and departmental maintenance	106,000.00	106,000.00
Miscellaneous departments	140,000.00	140,000.00
Anti-hog cholera serum	12,500.00	12,500.00
Repairs and Improvements:		
For general repairs and remodeling of all buildings	\$ 25,000.00	\$ 25,000.00
Outside improvements, including drives, fences, shade trees and grading	3,500.00	3,500.00
Maintenance and equipment of zoological grounds	800.00	800.00
Extensions of mains and plumbing	8,000.00	8,000.00
Poultry husbandry building and equipment.		10,000.00
Concrete curbs, sidewalks and drive	3,000.00	3,000.00
Machinery and steam plant, including boiler, feed pump, water meter, oil pump and oil storage tanks	7,500.00	
To repair and remodel old Agricultural Building	15,000.00	
Oil compressor	15,000.00	
Total repairs and improvements		

Grand total for Agricultural and Mechanical College	\$ 836,300.00	\$ 820,800.00
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STATE DEPARTMENT OF FORESTRY.

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Total salaries	\$ 6,200.00	\$ 6,200.00
Maintenance and miscellaneous items	2,200.00	1,700.00
Agents and patrol men in forest fire protection and for administering of forestry laws in co-operation with the Federal Government and counties	12,500.00	12,500.00
Service, material, equipment and expenses for tree planting and culture, including co-operative wind-break grove planting and wood lot improvement	8,000.00	8,000.00

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Traveling expenses of State Forester and assistants	\$ 2,000.00	\$ 2,000.00
Traveling expenses of agents and patrol men in forest protection work	1,200.00	1,200.00
For the purchase of five thousand acres of land to demonstrate the reforestation of pine timber in East Texas, same to be purchased by a board of three, composed of the Commissioner of the General Land Office, the President of the Agricultural and Mechanical College, and the State Forester; provided no more than three sections of land shall be located in one county; and, provided further, that the land to be purchased shall not exceed six dollars (\$5.00) per acre	15,000.00	15,000.00
Grand total for Department of Forestry	\$ 47,100.00	\$ 46,600.00

EXTENSION SERVICE.

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Total salaries	\$ 228,526.40	\$ 228,526.40
Expenses of Extension Service	22,800.00	22,800.00
Grand total for Extension Service	\$ 251,326.40	\$ 252,326.40

TEXAS AGRICULTURAL EXPERIMENT STATIONS SYSTEM.

Main Station.

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Total salaries	\$ 64,000.00	\$ 64,000.00
General expenses	71,000.00	65,000.00
Beekeeping	7,100.00	7,100.00
Grand total for Main Station	\$ 142,100.00	\$ 136,100.00

SUBSTATIONS.

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
No. 1.—Beeville.		
Total salaries, labor, fencing, support and maintenance	\$ 5,900.00	\$ 5,900.00
No. 2.—Troup.		
For salaries, equipment, repairs, support and maintenance	4,600.00	4,300.00
No. 3.—Angleton.		
For salaries, equipment, repairs, support and maintenance	4,800.00	4,400.00
No. 4.—Beaumont.		
For salaries, equipment, support and maintenance	7,000.00	7,000.00
No. 5.—Temple.		
For salaries, investigations, materials, labor, support and maintenance	4,700.00	4,700.00
No. 6.—Denton.		
For salaries, seed house and grain room, storm cellar, laborer's cottage, fences, foundation flock of sheep, including sheds, support and maintenance	6,500.00	6,400.00

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
No. 7.—Spur. (Agronomy).		
Salaries, completion of workshop and installation of blacksmithing outfit and line shaft, underground cistern, extension of water system, work mules, wagon and set of harness, support and maintenance.....	\$ 4,500.00	\$ 5,000.00
Sheep Breeding and Feeding.		
For feeding and breeding investigations, concrete water troughs, extension of water system, fence repairing, feed grinder, tools, labor, support and maintenance.....	4,425.00	2,200.00
No. 8.—Lubbock.		
Salary, wages, labor, completion of barn, support and maintenance.....	6,500.00	5,500.00
No. 9.—Balmorhea.		
For salaries, to purchase two hundred acres of land at fifty dollars (\$50.00) per acre, for support and maintenance.....	15,000.00	4,800.00
No. 10.—Agricultural and Mechanical College—Feeding and Breeding—General Farm.		
Salaries, extension and improvement of water system, sewer system, clearing land, fencing, support and maintenance.....	11,100.00	9,100.00
Swine Feeding and Breeding Investigations.		
Traveling expenses, extension of water system, experiment plots, support and maintenance	1,900.00	1,700.00
Poultry Feeding and Breeding Investigations.		
Traveling expenses, support and maintenance	1,600.00	1,600.00
Dairy Feeding and Breeding Investigations.		
Silos, barns, refrigeration machinery, addition to dairy laboratory and milk house, support and maintenance.....	3,900.00	1,100.00
No. 11.—Nacogdoches.		
Salary of superintendent, support and maintenance	4,300.00	4,300.00
No. 12.—Chillicothe.		
Salary of superintendent, support and maintenance	4,100.00	4,100.00
No. 14.—Sonora.—Angora Goat and Sheep.		
Salaries, operating room and equipment, cistern and gutters, cottage for veterinarian, support and maintenance.....	13,120.00	11,870.00
No. 15.—Lower Rio Grande.		
For salaries, support and maintenance.....	5,000.00	5,000.00
No. 16.—Wichita Falls.		
Salaries, support and maintenance to be used under the direction of the director.....	7,500.00	7,500.00
Total for Substations.....	\$ 116,445.00	\$ 95,470.00
Grand total Main and all Substations	\$ 258,545.00	\$ 231,570.00
PRAIRIE VIEW STATE NORMAL AND INDUSTRIAL COLLEGE.		
(Prairie View.)		

For the maintenance, support and direction of the Prairie View State Normal and Industrial College, including the construction of buildings and equipment for the years beginning September 1, 1923, and ending

August 31, 1925, including interest on its bonds and all receipts whatsoever from any source.

Provided, no changes or substitutions shall be made in items for permanent improvements.

For the years ending August 31, 1924, and August 31, 1925, the total sums of \$.....each year; said amounts so appropriated to be supplemented to be the Morrell Fund of \$.....for each of said years, making a total of \$.....for each of said years, to be applied to the payment of salaries as hereinafter set forth; provided, that nothing herein shall prevent or affect the application of the said Morrell Fund to the purposes for which it was created, and the Directors of said Prairie View State Normal and Industrial College shall apply the said Morrell Fund upon the salary items hereinafter stated, to which, under the terms of the Act creating said fund, it may be properly applied, and the payment of salaries to which the said Morrell Fund may be applied shall be in satisfaction pro tanto of such salaries as herein fixed.

PRAIRIE VIEW NORMAL AND INDUSTRIAL COLLEGE.

	For the Years Ending	
	Aug. 31, 1924.	Aug. 31, 1925.
Total salaries	\$ 100,000.00	\$ 100,000.00
Departmental maintenance	32,500.00	32,500.00
Miscellaneous items	35,000.00	34,500.00
Repairs and Improvements:		
Extensions of steam heat, plumbing and lighting lines and repairs of same.....	3,000.00	3,000.00
Sewage disposal plant		8,000.00
For general repairs and painting.....	6,000.00	4,000.00
Roads and bridges	500.00	500.00
Ice, storage bin	1,000.00	
Cottages for teachers, two each year.....	2,500.00	2,500.00
Air compressor and repairs.....	4,000.00	4,000.00
Fire protection	500.00	500.00
Concrete sidewalks, curbs and gutters.....	500.00	500.00
For training school—building to match like sum for Rosenwald Fund.....		3,000.00
Veterinary hospital		10,000.00
To construct fuel oil pipe line to railroad station and to purchase and install pump, build reservoir and equip boilers for oil burning	10,000.00	500.00
Grand total for Prairie View Normal and Industrial College.....	\$ 195,500.00	\$ 200,500.00

JOHN TARLETON AGRICULTURAL COLLEGE. (Stephenville.)

	For the Years Ending	
	Aug. 31, 1924.	Aug. 31, 1925.
Total salaries	\$ 125,000.00	\$ 125,000.00
General and departmental maintenance.....	21,000.00	21,000.00
Miscellaneous items	16,000.00	16,000.00
Summer School and Farmers' Short Course.	6,000.00	6,000.00
Repairs and Improvements:		
General repairs	7,000.00	7,000.00
Extension of mains, water and light lines, rewiring and for additional radiation and fittings	6,000.00	2,000.00
Cook's quarters	2,000.00	
Repairs to farm houses, land betterment and fencing	500.00	500.00
Two silos	600.00	600.00

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
One 500-bird poultry house with equipment.		\$ 750.00
Pecan orchard, including clearing and preparing land	\$ 500.00	
Equipment for laboratories, furniture, filing cabinets, desks, comptometers, typewriters, job press, paper cutting machine, type cases, general departmental equipment and supplies	7,000.00	3,500.00
Steam line coverings	5,000.00	
Campus improvements and care of grounds.	1,000.00	500.00
Smokestack for heating plant	5,000.00	
Emergency boiler	5,000.00	

Grand total for John Tarleton College \$ 207,600.00 \$ 182,850.00

NORTH TEXAS JUNIOR AGRICULTURAL COLLEGE.
(Heretofore Grubbs Vocational College)

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Total salaries	\$ 93,000.00	\$ 93,000.00
Administration and general maintenance	18,000.00	13,000.00
Miscellaneous items	13,500.00	13,400.00
Repairs and Improvements:		
Addition to boiler house and one 100-horse power boiler and mains		\$ 10,000.00
Campus grounds, including grading, terracing, trees, shrubbery, lamp posts, curbs, gutters and walks	2,000.00	2,000.00
Repairs and painting and for extension of mains and lines	5,000.00	3,000.00
Silo		600.00
Poultry plant and North Texas egg laying contest	600.00	600.00
Drill grounds and athletic field and improvements	1,000.00	1,000.00
To purchase land for poultry and dairy farm not to exceed		6,000.00

Grand Total for North Texas Junior Agricultural College \$ 133,100.00 \$ 142,600.00

COLLEGE OF INDUSTRIAL ARTS.

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Total salaries	\$ 288,000.00	\$ 288,000.00
Administration and departmental maintenance, including extension service	35,000.00	
(A second item of \$35,000 for the year ending August 31, 1925, while appearing interlined in the copy of the Conference Committee report on file with the Enrolling Clerk, does not appear in the copy of said report filed with the Journal Clerk.)		
Departmental laboratories, furniture, equipment, supplies, for the Registrar's office, vocational linotype and printing, laboratory equipment and repairs and for general repairs	15,000.00	14,000.00

Grand Total for College of Industrial Arts \$ 388,000.00 \$ 337,000.00

TEXAS TECHNOLOGICAL COLLEGE.

For the years ending
Aug. 31, 1924 Aug. 31, 1925

To pay salaries of administrative force, including a president, who shall supervise the construction and look after all business needs and interests of the College, per diem and expenses of members of the board of directors, and for traveling and other expenses\$ 25,000.00 \$ 25,000.00

SAM HOUSTON STATE TEACHERS' COLLEGE.
(At Huntsville.)

For the years ending
Aug. 31, 1924 Aug. 31, 1925

Total salaries\$ 176,690.00 \$ 176,690.00
Departmental maintenance 29,205.00 29,205.00
Miscellaneous items 15,450.00 12,850.00

Repairs and Improvements:

For general repairs, repainting buildings, surfacing driveways inside College grounds, upkeep of grounds, to purchase additional ground for athletic field and campus.... 17,000.00 5,000.00

Grand Total\$ 238,345.00 \$ 223,745.00

SOUTHWEST TEXAS STATE TEACHERS' COLLEGE.
(At San Marcos.)

For the Years Ending
Aug. 31, 1924 Aug. 31, 1925

Total salaries\$ 190,000.00 \$ 190,000.00
Departmental maintenance 23,630.00 24,890.00
Miscellaneous items 20,000.00 12,500.00

Repairs and Improvements:

For improvement of grounds, to purchase additional grounds and improvements, cafeteria equipment and furnishing, for general repairs, fire apparatus and repairs to same, and for steam plant addition..... 43,000.00 5,500.00

Grand Total\$ 276,630.00 \$ 232,890.00

NORTH TEXAS STATE TEACHERS' COLLEGE.
(At Denton.)

For the Years Ending
Aug. 31, 1924 Aug. 31, 1925

Total salaries\$ 263,335.00 \$ 263,335.00
Departmental maintenance 17,000.00 18,000.00
Miscellaneous items 15,500.00 15,500.00

For repairs and improvements and upkeep of grounds 3,500.00 3,500.00

By re-appropriating the unexpended balance of amount appropriated by the Thirty-seventh Legislature for curbs, gutters and paving State's part of streets adjacent to State's property 12,262.00

Grand Total\$ 311,597.00 \$ 300,335.00

WEST TEXAS STATE TEACHERS' COLLEGE.
(At Canyon.)

For the years ending
Aug. 31, 1924 Aug. 31, 1925

Total salaries\$ 176,170.00 \$ 176,170.00
Departmental maintenance 22,500.00 20,000.00

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Miscellaneous items	\$ 13,850.00	\$ 13,250.00
Repairs and Improvements:		
Repairs, improvements and equipment, including upkeep of buildings and grounds, to purchase 50-horse-power engine and equipment and housing for same, pumps, electrical equipment, steel filing cases, paving State's share of streets on and adjacent to campus, office supplies and equipment, library and paintings	28,000.00	6,500.00
Grand Total	\$ 240,520.00	\$ 215,920.00

EAST TEXAS STATE TEACHERS' COLLEGE.
(At Commerce.)

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Total salaries	\$ 186,000.00	\$ 186,000.00
General and departmental maintenance	17,000.00	17,000.00
Miscellaneous items	12,000.00	9,500.00
Repairs and Improvements:		
Repairs of buildings, upkeep of grounds, State's share of paving, plumbing, painting, and for general repairs	4,000.00	6,000.00
Combination Administration, Education and Auditorium Building	300,000.00	
Grand Total	\$ 519,000.00	\$ 218,500.00

SUL ROSS STATE TEACHERS' COLLEGE.
(At Alpine.)

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Total salaries	75,000.00	75,000.00
Departmental maintenance	3,700.00	3,100.00
Miscellaneous items	12,500.00	12,000.00
Repairs and Improvements:		
To purchase athletic field and improve same, grading, terracing, cement work, fence for College, for well, tank, pump and equipment, and for general repairs	10,000.00	2,500.00
Grand Total	\$ 101,200.00	\$ 92,600.00

STEPHEN F. AUSTIN STATE TEACHERS' COLLEGE.
(At Nacogdoches.)

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Total salaries	\$ 95,000.00	\$ 100,000.00
Departmental maintenance and miscellaneous items	40,000.00	12,000.00
Grand Total	\$ 135,000.00	\$ 112,000.00

SOUTH TEXAS STATE TEACHERS' COLLEGE.
(At Kingsville.)

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Total salaries	\$ 1,125.00	\$ 4,500.00
To construct and equip superintendent's home	10,000.00	
For the construction and equipment of an Administration Building, power plant, and for		

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
the purpose of outside improvement of grounds, terracing, cement work, and beautifying grounds		\$ 400,000.00
Grand Total	\$ 11,125.00	\$ 404,500.00

TEXAS SCHOOL FOR THE BLIND.

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Total salaries, general maintenance, repairs, improvements and equipment, and for all purposes found necessary by the Board of Control	\$ 148,000.00	\$ 120,000.00

TEXAS SCHOOL FOR THE DEAF.

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
For total salaries, general maintenance, repairs, improvements and equipment, and for all purposes found necessary by the Board of Control	\$ 211,000.00	\$ 196,000.00
Grand Total Education	\$6,045,688.40	\$5,882,236.40

The appropriations herein provided for are to be construed as the maximum sums to be appropriated for the purposes named herein, and no expenditures shall be made nor shall any obligations be incurred, which, added to the actual expenditure will exceed the amounts herein appropriated for the several purposes;

And provided further, that the governing body of the institutions provided for herein shall cause to be submitted to the next Legislature an itemized statement showing the exact salaries paid, the number of people employed, the length of service performed, and the character of such service, together with an itemized statement of all other expenditures incurred and paid out of the foregoing appropriations.

Provided that no item in this appropriation shall be used for traveling expenses outside of the State except upon the approval of the governing board for the particular institution.

Provided that there shall be an annual audit made showing all receipts and expenditures itemized, of the various schools provided for in this bill, one copy of which shall be filed on or before the first day of November of each year, with the Governor of the State; provided that the biennial report of the governing board of the several institutions shall contain a financial statement which shall contain the number of instructors and em-

ployees of the particular school and the salary received by each;

And no property belonging to any of said institutions shall be disposed of without the consent of the governing board of said institution; all proceeds from the sale of any such property and from labor performed shall be paid into the State Treasury and become a part of the General Fund.

Provided further that a report shall be made annually by each of said institutions and filed with the Comptroller, giving an itemized statement of all moneys paid out and showing what particular fund said money was taken from, also showing the full amount of money taken in from all sources during the term. Said report shall show what disposition was made of such fund or funds, and if any surplus remains on hand at the end of any school year it shall be so stated in said report.

Provided further, that no person shall be employed in the Extension Service administration who has not first stood a satisfactory examination before the faculty of the A. & M. College of Texas, or a committee of not less than five, selected from the said faculty by the president of the said A. & M. College. Said examination shall be conducted at such time and places as shall be decided upon by the faculty or the committee herein provided for.

Provided that the interest of all securities held by the Texas School for the Blind is hereby appropriated in part payment of the appropriations for the Texas School for the Blind, and the remainder of the appropriations to be paid out of the general revenue of the State.

Provided further that the head of the various institutions provided for herein shall keep a record of the absences of the various employees, and the reasons therefor, whether from sickness, vacation or leave of absence, and that the record of such absences be incorporated in the report made annually by said institution.

Provided further that all contracts and undertakings entered into under and by virtue of the terms hereof for repairs, improvements, or new buildings, and for furnishing and equipping of buildings for the several institutions hereinbefore provided for, shall be made strictly within the limits and terms of the appropriations made for such purposes. And it shall be the duty of the managers and directors of the various institutions in the consideration and adoption of plans, specifications and contracts therefor, not to exceed such appropriations nor to incur any obligation in excess thereof.

Provided that the interest on all securities held by the Deaf and Dumb Institute is herein appropriated in part payment of the appropriations for the Deaf and Dumb Institute; the remainder of the appropriations to be paid out of the General Revenue.

Provided further that the governing board of the several institutions hereinbefore provided for shall authorize and supervise the expenditure of the money for the particular institution, and no money herein appropriated shall be spent for any purpose whatsoever unless it is specifically authorized by said governing board, and said governing board is held strictly accountable to the Legislature for the spending of the appropriations herein made, wisely, economically and for the best interests of the institution and the State.

The fact that the Regular Session of the Thirty-eighth Legislature adjourned without passing the General Appropriation Bill, and the further fact that public policy requires that proper provision be made for the support and maintenance of all State Institutions and Departments with as little delay as possible, and this bill, being one of the regular appropria-

tion bills, and the near approach of the date of adjournment of this Special Session creates an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days be suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

QUAID,
BAKER, of Milam,
COLLINS,
EDWARDS
CABLE,

On the part of the House.

BOWERS,
ROGERS,
WOOD,
DARWIN,
LEWIS,

On the part of the Senate.

H. B. No. 41—Free Conference Committee Report.

Senator Wood presented the Free Conference Committee report on H. B. No. 41, which was read as follows:

Committee Room,

Austin, Texas, May 12th, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives,

Hon. T. W. Davidson, President of the Senate.

Sirs: We, your Conference Committee to whom was referred H. B. No. 41, have had the same under consideration, and beg leave to report to the two Houses that we have settled the differences between the House and the Senate and recommend the passage of the following substitute bill:

By Quaid H. B. No. 41

A BILL

To Be Entitled

An Act making appropriations to pay the salaries of officers and employees of certain eleemosynary institutions of the State and other expenses of maintaining and conducting them for the two fiscal years beginning September 1st, 1923 and ending August 31st, 1925 as follows, to-wit: Confederate Woman's Home; State Confederate Home; State Lunatic Asylum; State Pasteur Institute; Southwestern Insane Asylum; North Texas Hospital for the Insane; East Texas Hospital for the Insane; State Epileptic Colony; State Orphan's Home; State Institute for Training Juveniles; Girls

Training School; State Colony for Feeble-minded; State Tuberculosis Sanatorium; Hospital for Crippled Children; Deaf, Dumb and Blind Institute for Colored Youths; Northwest Texas Insane Asylum; State Home for Dependent and Neglected Children; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section. 1. That the following sums

of money, or so much thereof as may be necessary, be and the same are hereby appropriated out of any money in the State Treasury not otherwise appropriated, to pay the salaries of officers and employees and other expenses necessary for the support and maintenance of the eleemosynary institutions of the State, from September 1st, 1923, to August 31st, 1925, as follows, to-wit:

CONFEDERATE WOMAN'S HOME.

For the years ending
Aug. 31, 1924 Aug. 31, 1925

Salaries of:

Superintendent, with provisions for self and family not to exceed \$500.00 per annum with fuel, laundry, light, water and housing	\$ 2,000.00	\$ 2,000.00
Attendant in large building.....	420.00	420.00
Attendant and cook for Superintendent.....	420.00	420.00
Attendant in hospital, four.....	1,440.00	1,440.00
Cook, main building.....	480.00	480.00
Cook, hospital.....	480.00	480.00
Dentist.....	350.00	350.00
Dining room waitresses, four.....	1,440.00	1,440.00
Housekeeper.....	720.00	720.00
Janitor.....	600.00	600.00
Nightwatchman.....	780.00	780.00
Nurses, one trained and one practical.....	1,600.00	1,600.00
Nurses, night, two first year and three second year.....	1,200.00	1,800.00
Nurses, extra.....	800.00	1,200.00
Physician.....	1,000.00	1,000.00
Stenographer, storekeeper and accountant...	1,200.00	1,200.00
Stewardess, hospital.....	600.00	600.00
Yardman.....	600.00	600.00

Total.....	\$ 16,130.00	\$ 16,730.00
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General Maintenance and Miscellaneous:

Combination sterilizer.....	125.00	
Carpet runners.....	350.00	
Delivery car.....	600.00	
Eye, ear and nose treatment.....	350.00	350.00
Glasses on prescription of optician, to purchase	100.00	100.00
Support and maintenance.....	23,500.00	25,500.00

Total maintenance and miscellaneous...	\$ 25,025.00	\$ 25,950.00
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Repairs and Improvements:

Hospital addition and equipment.....	\$ 22,500.00	
General repairs and improvement.....	5,000.00	2,500.00

Total repairs and improvements.....	\$ 27,500.00	\$ 2,500.00
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Grand total Confederate Woman's

Home.....	\$ 68,655.00	\$ 45,180.00
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STATE CONFEDERATE HOME.

For the years ending
Aug. 31, 1924 Aug. 31, 1925

Salaries of:

Superintendent, with provisions for self and family, not to exceed \$500.00 per annum, with fuel, light, water, laundry and housing	\$ 2,000.00	\$ 2,000.00
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	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Apothecary	\$ 900.00	\$ 900.00
Baker	600.00	600.00
Barber	540.00	540.00
Carpenter and plumber	900.00	900.00
Chaplain, who shall also act as chaplain of Woman's Home	1,200.00	1,200.00
Cook, chief	900.00	900.00
Cooks, assistant, three	1,320.00	1,320.00
Cook, hospital	720.00	720.00
Cook, hospital, assistant	420.00	420.00
Dietitian	1,200.00	1,200.00
Engineer	1,200.00	1,000.00
Engineer, assistant	720.00	720.00
Fireman	1,000.00	1,000.00
Garbage man	300.00	300.00
Hostler and driver	600.00	600.00
Janitors	3,900.00	3,900.00
Laundryman and laundress, head	600.00	600.00
Laundresses, seven	2,100.00	2,100.00
Matron	480.00	480.00
Night man	900.00	900.00
Nurses, trained, two	1,800.00	1,800.00
Nurses, male, thirteen	5,880.00	5,880.00
Oculist	480.00	480.00
Organist and reader	300.00	300.00
Postmaster	180.00	180.00
Secretary	720.00	720.00
Seamstress	480.00	480.00
Storekeeper and accountant, with board and laundry for himself and family	1,200.00	1,200.00
Surgeon	2,000.00	2,000.00
Waiter, head	480.00	480.00
Waiters, eleven	3,300.00	3,300.00
Waiters, hospital, three	900.00	900.00
Total salaries	\$ 40,020.00	\$ 40,020.00
General Maintenance, Repairs and Miscellaneous:		
Books, newspapers and postage	\$ 600.00	\$ 600.00
Blacksmithing	150.00	150.00
Drugs and hospital supplies	2,500.00	2,500.00
Furniture and beds	4,000.00	2,000.00
Kitchen, dining room and laundry supplies	1,200.00	1,200.00
Shoe repairing	500.00	500.00
Stationery and printing	300.00	300.00
Support and maintenance	75,000.00	75,000.00
Improvement of grounds	600.00	500.00
Repairs, painting, remodeling and such other expenses as may be found most urgent and necessary	10,000.00	2,500.00
Total maintenance, repairs and miscella- neous	\$ 94,800.00	\$ 85,250.00
Grand total Confederate Home	\$ 134,870.00	\$ 125,270.00

STATE LUNATIC ASYLUM.

For the Years Ending
Aug. 31, 1924. Aug. 31, 1925.

Salaries of:

Superintendent, with provisions for self and family, not to exceed in value \$500 per annum, together with water, light, laundry, fuel and housing.....	\$ 2,500.00	\$ 2,500.00
Assistant physician with board and laundry for himself and family.....	1,800.00	1,800.00
Assistant physician with board and laundry for himself and family.....	1,600.00	1,600.00
Assistant physician with board and laundry for himself and family.....	1,600.00	1,600.00
Assistant physician with board and laundry for himself and family.....	1,600.00	1,600.00
Psychiatrist	5,000.00	5,000.00
Attendants, eighty, not to exceed \$50 per month each	38,400.00	38,400.00
Attendants, night, eighteen, not to exceed \$50 per month each.....	8,640.00	8,640.00
Attendants for tuberculosis cottage.....	2,640.00	2,640.00
Baker	900.00	900.00
Bakers, assistant, two	960.00	960.00
Barbers, three	1,500.00	1,500.00
Blacksmith	720.00	720.00
Butcher	600.00	600.00
Carpenter	900.00	900.00
Cart man	480.00	480.00
Chaplain	400.00	400.00
Cook, chief	900.00	900.00
Cook, first assistant	600.00	600.00
Cook, second assistant	600.00	600.00
Cooks, assistant, twelve, one of whom may be used by Superintendent.....	5,760.00	5,760.00
Cooks, tuberculosis cottages, two.....	960.00	960.00
Dairyman	900.00	900.00
Dairymen, assistant, two	960.00	960.00
Dining room girls, eighteen.....	6,480.00	6,480.00
Dentist, who shall also do dental work at Colony for Feeble Minded.....	1,300.00	1,300.00
Dietitian	1,200.00	1,200.00
Druggist	900.00	900.00
Engineer, chief	1,500.00	1,500.00
Engineer, first assistant	1,000.00	1,000.00
Engineer, second assistant	720.00	720.00
Engineer, third assistant	720.00	720.00
Farm hands, three	1,440.00	1,440.00
Firemen, three	2,160.00	2,160.00
Gardener	720.00	720.00
Laundryman, head	900.00	900.00
Laundrymen, assistant, two	1,200.00	1,200.00
Laundresses, fourteen	5,040.00	5,040.00
Matron	720.00	720.00
Mattressman	600.00	600.00
Nurses, two, for tuberculosis cottages.....	1,320.00	1,320.00
Nurse for female hospital, to attend all operating cases	720.00	720.00
Nurses, trained, six	3,600.00	3,600.00
Night watchman, outside	720.00	720.00
Park man	600.00	600.00

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Painter	\$ 720.00	\$ 720.00
Plasterer	720.00	720.00
Tailor	600.00	600.00
Seamstress, head	600.00	600.00
Seamstresses, four	1,920.00	1,920.00
Shoemaker	600.00	600.00
Stenographer	900.00	900.00
Storekeeper and accountant with board and laundry for himself and family	1,200.00	1,200.00
Storekeeper, assistant	900.00	900.00
Storekeeper, assistant	720.00	720.00
Supervisor	900.00	900.00
Supervisor, assistant	720.00	720.00
Supervisor, night	720.00	720.00
Supervisor	900.00	900.00
Supervisor, assistant	720.00	720.00
Supervisor, night	720.00	720.00
Supervisor, outside	900.00	900.00
Teacher, art and craft	1,200.00	1,200.00
Total salaries	\$ 131,100.00	\$ 131,100.00
General Maintenance:		
Dry goods and clothing	\$ 40,000.00	\$ 40,000.00
Engineer and carpenter tools	300.00	300.00
Farm machinery and tools	500.00	500.00
Furniture and beds	3,000.00	3,000.00
Live stock	600.00	600.00
Support and maintenance	200,000.00	200,000.00
Transportation of patients	750.00	750.00
Trees and seeds	500.00	500.00
Wagons, hacks and harness	300.00	300.00
Total maintenance	\$ 245,750.00	\$ 245,750.00
Repairs and Improvements:		
Addition to old ladies' home and equipment		20,000.00
Female help dormitory and equipment	40,000.00	
Ice plant, cold storage and equipment	30,000.00	
Repairs, painting, plastering, remodeling and such other improvements as the Board of Control may find most urgent and necessary	100,000.00	100,000.00
Tuberculosis building for negro men, with equipment	25,000.00	
Total repairs and improvements	\$ 195,000.00	\$ 120,000.00
Grand total for State Lunatic Asylum	\$ 571,850.00	\$ 496,850.00

PASTEUR INSTITUTE.

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Salaries of:		
Physician, provided he shall receive provisions for himself and family not to exceed in value \$500 per annum, with fuel, light, water, laundry and housing	\$ 3,000.00	\$ 3,000.00
Assistant physician, with board and laundry for himself and family	2,000.00	2,000.00

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Attendant	\$ 700.00	\$ 700.00
Total salaries	\$ 5,700.00	\$ 5,700.00
Maintenance:		
Support and maintenance	1,200.00	1,200.00
Ice vault	250.00	
Total	\$ 1,450.00	\$ 1,200.00
Grand Total for Pasteur Institute	\$ 7,150.00	\$ 6,900.00

All officers and employees of the Pasteur Institute to receive board and laundry at the State Lunatic Asylum.

SOUTHWESTERN INSANE ASYLUM.

	For the Years Ending	
	Aug. 31, 1924.	Aug. 31, 1925.
Salaries of:		
Superintendent, with provisions for himself and family not to exceed in value \$500 per annum, with fuel, light, water, laundry and housing	\$ 2,500.00	\$ 2,500.00
Assistant physician with board and laundry for self and family	1,800.00	1,800.00
Assistant physicians, four with board and laundry for themselves and families	6,400.00	6,400.00
Attendants, 100, not to exceed \$50.00 per month	48,000.00	48,000.00
Baker	900.00	900.00
Bakers, assistant, two	960.00	960.00
Barbers, two	1,020.00	1,020.00
Blacksmith	720.00	720.00
Butcher and creamery man	720.00	720.00
Carpenter	900.00	900.00
Carpenter, assistant	720.00	720.00
Chaplain	400.00	400.00
Cook, chief	900.00	900.00
Cook, first assistant	600.00	600.00
Cooks, ten	4,800.00	4,800.00
Cooks, tuberculosis cottages, two	960.00	960.00
Dairyman	900.00	900.00
Dairyman, assistant, two	960.00	960.00
Dentist	1,000.00	1,000.00
Dietitian	1,200.00	1,200.00
Dining room girls, seventeen	6,120.00	6,120.00
Druggist	900.00	900.00
Engineer, chief	1,500.00	1,500.00
Engineer, assistant and electrician	1,000.00	1,000.00
Engineer, second assistant	720.00	720.00
Engineer, third assistant and plumber	720.00	720.00
Engineer, fourth assistant	660.00	660.00
Firemen, three	1,800.00	1,800.00
Farm hands, four	1,920.00	1,920.00
Gardener	720.00	720.00
Hostler	600.00	600.00
Laundress, head	720.00	720.00
Laundress, first assistant	600.00	600.00
Laundresses, seventeen	6,120.00	6,120.00
Librarian	600.00	600.00
Matron	720.00	720.00
Mattress maker	600.00	600.00
Nightwatchmen, 24, not to exceed \$50.00 per month each	11,520.00	11,520.00

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Nightwatchmen, outside, two.....	\$ 1,080.00	\$ 1,080.00
Nurses, superintendent of	1,200.00	1,200.00
Nurses, trained	2,400.00	2,400.00
Painter	720.00	720.00
Parkman	540.00	540.00
Plasterer	720.00	720.00
Plumber, assistant	720.00	720.00
Scavenger	480.00	480.00
Seamstresses, eight	3,200.00	3,200.00
Shoemaker	600.00	600.00
Stenographer	900.00	900.00
Storekeeper and accountant, with board and laundry for himself and family.....	1,200.00	1,200.00
Storekeeper and accountant, assistant.....	900.00	900.00
Storeroom helper and stenographer.....	600.00	600.00
Supervisor	900.00	900.00
Supervisor, assistant	720.00	720.00
Supervisor, outside	900.00	900.00
Tailoress or seamstress	720.00	720.00
Teacher, occupational therapy	1,200.00	1,200.00
Teachers, occupational therapy, three.....	1,800.00	1,800.00
Total salaries	\$ 135,400.00	\$ 135,400.00
General Maintenance and Miscellaneous:		
Dry goods and clothing	\$ 40,000.00	\$ 40,000.00
Furniture and beds	3,500.00	3,500.00
Laundry machinery and repairs.....	500.00	500.00
Live stock	800.00	800.00
Support and maintenance	200,000.00	200,000.00
Transportation	1,000.00	1,000.00
Trees and seeds	1,000.00	1,000.00
Wagons, hacks and harness.....	500.00	500.00
Total maintenance and miscellaneous..	\$ 247,300.00	\$ 247,300.00
Repairs and Improvements:		
Bake oven	\$ 2,500.00	
Cottages for tuberculosis, two, including equipment	80,000.00	
Repairs and painting, and the Board of Control is authorized to make such alterations, additions and purchases out of this fund as may be found most urgent and necessary	30,000.00	30,000.00
Total improvements and repairs.....	\$ 112,500.00	\$ 30,000.00
Grand total Southwestern Insane Asylum	\$ 495,200.00	\$ 412,700.00

NORTH TEXAS HOSPITAL FOR INSANE.

	For the Years Ending	
	Aug. 31, 1924	Aug. 31, 1925
Salaries of:		
Superintendent, with provisions for himself and family, not to exceed in value \$500 per annum, with water, light, fuel, laundry and housing	2,500.00	2,500.00
Assistant physician, with board and laundry for self and family.....	1,800.00	1,800.00

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Assistant physicians, three, with board and laundry for themselves and families.....\$	4,800.00	\$ 4,800.00
Attendants, ninety-six, not to exceed \$50 per month each	46,080.00	46,080.00
Attendants, night, twenty, not to exceed \$50 per month each	9,600.00	9,600.00
Baker	900.00	900.00
Bakers, assistant, two	960.00	960.00
Bakers, two	1,000.00	1,000.00
Blacksmith	720.00	720.00
Butcher	600.00	600.00
Carpenter	600.00	600.00
Chaplain	400.00	400.00
Cook, chief	900.00	900.00
Cook, assistant	600.00	600.00
Cooks, assistant, eight	3,840.00	3,840.00
Cooks, hospital, two	960.00	960.00
Dairyman	900.00	900.00
Dairyman, assistant	480.00	480.00
Dentist	1,000.00	1,000.00
Dietitian	1,200.00	1,200.00
Druggist	900.00	900.00
Dining room girls, six.....,.....	2,160.00	2,160.00
Engineer, chief	1,500.00	1,500.00
Engineer, assistant, and electrician.....	1,000.00	1,000.00
Engineer, night	900.00	900.00
Engineer, ice plant.....	600.00	600.00
Engineer, laundry	600.00	600.00
Farm hands, three.....	1,440.00	1,440.00
Firemen, four	2,400.00	2,400.00
Gardener	720.00	720.00
Gardener, assistant	480.00	480.00
Laundress, head	720.00	720.00
Laundress, assistant	600.00	600.00
Laundresses, fifteen	5,400.00	5,400.00
Matron	720.00	720.00
Mattress maker	600.00	600.00
Nurses, trained, six.....	3,600.00	3,600.00
Outside watches, two.....	960.00	960.00
Painter	720.00	720.00
Painter, assistant	480.00	480.00
Plasterer	720.00	720.00
Plasterer, assistant	480.00	480.00
Plumber	900.00	900.00
Plumber, assistant	600.00	600.00
Storekeeper and accountant, with board and laundry for himself and family.....	1,200.00	1,200.00
Storekeeper and accountant, assistant.....	900.00	900.00
Stenographer	900.00	900.00
Supervisors, two	1,620.00	1,620.00
Supervisoresses, two	1,620.00	1,620.00
Supervisor, outside	900.00	900.00
Seamstresses, six	2,880.00	2,880.00
Shoemaker	600.00	600.00
Scavenger	360.00	360.00
Tailoress and seamstress.....	720.00	720.00
Teacher, occupational therapy.....	1,200.00	1,200.00
Yardman	800.00	800.00
Total	\$ 123,640.00	\$ 123,640.00

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
General Maintenance and Miscellaneous:		
Dry goods and clothing.....	\$ 40,000.00	\$ 40,000.00
Engineer and carpenter tools.....	300.00	300.00
Farm tools	300.00	300.00
Fencing	500.00	500.00
Fire department	500.00	500.00
Furniture and beds.....	3,000.00	4,000.00
Laundry machinery and repairs.....	500.00	500.00
Live stock	800.00	800.00
Support and maintenance.....	200,000.00	200,000.00
Transportation	750.00	750.00
Trees and seeds.....	500.00	500.00
Total	\$ 247,150.00	\$ 248,150.00
Repairs and Improvements:		
General repairs, improvements, additions, remodeling and equipment, including additions to buildings, porches, remodeling or re-building dairy barn and such other expenditures as the Board of Control may find most urgent and necessary.....		
	\$ 75,000.00	\$ 75,000.00
Grand total	\$ 445,790.00	\$ 446,790.00

EAST TEXAS HOSPITAL FOR INSANE.

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Salaries of:		
Superintendent, with provisions for himself, and family not to exceed in value \$500.00 per annum, together with fuel, light, water, laundry and housing.....	\$ 2,500.00	\$ 2,500.00
Assistant physician, with board and laundry for himself and family.....	1,800.00	1,800.00
Assistant physician, with board and laundry for himself and family.....	1,600.00	1,600.00
Attendants, fifty, first year; fifty-five, second year	24,000.00	26,400.00
Baker	720.00	720.00
Baker, assistant	480.00	480.00
Barber	500.00	500.00
Blacksmith	720.00	720.00
Butcher	540.00	540.00
Cook, chief	900.00	900.00
Cook, first assistant.....	600.00	600.00
Cooks, assistant, three.....	1,440.00	1,440.00
Carpenter	900.00	900.00
Chaplain	400.00	400.00
Dairyman	600.00	600.00
Dairyman, assistant	480.00	480.00
Dietitian	1,200.00	1,200.00
Dentist	1,000.00	1,000.00
Druggist	900.00	900.00
Dining room girls, eight	2,880.00	2,880.00
Engineer, chief	1,500.00	1,500.00
Engineer, first assistant.....	1,000.00	1,000.00
Engineer, second assistant.....	720.00	720.00
Florist	600.00	600.00
Fireman, head	600.00	600.00
Firemen, two	1,200.00	1,200.00
Farm hands, four.....	1,920.00	1,920.00

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Gardener	\$ 720.00	\$ 720.00
Ice man	540.00	540.00
Laundryman, head	720.00	720.00
Laundresses, six	2,160.00	2,160.00
Matron	720.00	720.00
Matress maker	600.00	600.00
Nurses, trained, four for first year; six for second year	3,600.00	5,400.00
Painter	720.00	720.00
Poultryman	600.00	600.00
Seamstresses, four	1,920.00	1,920.00
Storekeeper and accountant, with board and laundry for himself and family	1,200.00	1,200.00
Storekeeper and accountant, assistant	900.00	900.00
Stenographer	900.00	900.00
Supervisor	900.00	900.00
Supervisor, assistant	720.00	720.00
Supervisor, outside, and head farmer	900.00	900.00
Supervisoress	900.00	900.00
Supervisoress, assistant	720.00	720.00
Supervisor, night	720.00	720.00
Supervisoress, night	720.00	720.00
Shoemaker	600.00	600.00
Teacher, occupation therapy		1,200.00
Tailoress and seamstress	720.00	720.00
Watchman, outside	720.00	720.00
Total	\$ 74,620.00	\$ 80,020.00
General Maintenance and Miscellaneous:		
Dry goods and clothing	\$ 12,000.00	\$ 12,000.00
Engineer and carpenter tools	300.00	300.00
Farm machinery and tools	300.00	300.00
Furniture and beds	2,000.00	1,000.00
Fencing	1,000.00	200.00
Live stock	2,500.00	2,000.00
Support and maintenance	90,000.00	105,000.00
Transportation of patients	750.00	750.00
Traveling expenses of medical association subject to approval by the Board of Con- trol	250.00	250.00
Trees and seeds	750.00	750.00
Wagons, hacks and harness	300.00	300.00
Total	\$ 110,150.00	\$ 122,850.00
Repairs and Improvements:		
Bathing facilities, additional	1,200.00	
Garage	1,000.00	
Hospital with equipment		50,000.00
To build stairways in main building, build porches on main building, remodeling barn for patients, building new mule and dairy barn, sheds and silos and for general re- pairs, equipment and furnishings and such other expenditures as are found to be most urgent and necessary	85,000.00	15,000.00
Total	\$ 87,200.00	\$ 65,000.00
Grand Total	\$ 271,970.00	\$ 267,870.00

NORTHWEST TEXAS HOSPITAL FOR INSANE.

For the years ending
Aug. 31, 1924 Aug. 31, 1925

Salaries of:

Superintendent with provisions for himself and family, not to exceed in value \$500.00 per annum, together with fuel, light, water, laundry and housing	\$ 2,500.00	\$ 2,500.00
Assistant physician with board and laundry for himself and family	1,800.00	1,800.00
Assistant physician with board and laundry for himself and family	1,600.00	1,600.00
Assistant physician with board and laundry for himself and family		
Attendants, thirty-five and forty second year not to exceed \$50.00 per month each	16,800.00	19,000.00
Baker	720.00	720.00
Baker, assistant and butcher	600.00	600.00
Barber	500.00	500.00
Blacksmith and plumber	720.00	720.00
Carpenter	900.00	900.00
Chaplain	400.00	400.00
Cooks, six	28,800.00	28,800.00
Druggist	900.00	900.00
Engineer, chief	1,500.00	1,500.00
Engineer, assistant	1,000.00	1,000.00
Engineer, assistant		720.00
Electrician and ice man	720.00	720.00
Farm hand, two	960.00	960.00
Fireman	600.00	600.00
Fireman		600.00
Gardener	720.00	720.00
Laundresses, six, not to exceed \$35 per month each	2,340.00	2,340.00
Matron	720.00	720.00
Night watchman, outside	600.00	600.00
Nurses, trained, four	2,400.00	2,400.00
Nurses, trained two		1,200.00
Nurses, night, six	3,600.00	3,600.00
Seamstresses, two	960.00	960.00
Shoemaker	600.00	600.00
Storekeeper and accountant with board and laundry for himself and family	1,200.00	1,200.00
Stenographer	900.00	900.00
Supervisor	900.00	900.00
Supervisor, assistant	720.00	720.00
Supervisoress	900.00	900.00
Supervisoress, assistant	720.00	720.00
Supervisor, night	720.00	720.00
Supervisor, outside, and farmer	900.00	900.00
Tailoress and seamstress	720.00	720.00
Truckman	600.00	600.00
Yardman	600.00	600.00
Total salaries	\$ 57,360.00	\$ 62,080.00
Maintenance and Miscellaneous:		
Auto repairing and upkeep	\$ 300.00	\$ 300.00
Bridges, culverts and ground	500.00	500.00
Dental work	300.00	300.00
Dry goods and clothing	10,000.00	15,000.00
Engineer and carpenter tools	250.00	250.00
Farm and garden machinery and tools	250.00	250.00

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Furniture and beds.....	\$ 500.00	\$ 500.00
Laundry machinery and repairs.....	200.00	200.00
Support and maintenance	50,000.00	75,000.00
Trees and seeds	600.00	600.00
Transportation of patients	200.00	400.00
Wagons, hacks and harness.....	150.00	150.00
Total maintenance and miscellaneous..	\$ 63,250.00	\$ 93,450.00
Repairs and Improvements:		
Boiler	\$ 6,000.00	
General repairs	1,000.00	\$ 1,000.00
Fencing	300.00	300.00
For enlarging or building storerooms or sheds		10,000.00
To build dormitories to care for approxi- mately 475 patients and for equipment....	120,000.00	120,000.00
Help dormitory equipment	30,000.00	
Industrial building and equipment.....		15,000.00
Total repairs and improvements.....	\$ 157,300.00	\$ 146,300.00
Grand total Northwest Texas In- sane Asylum	\$ 277,910.00	\$ 301,830.00

STATE EPILEPTIC COLONY.

	For the Years Ending	
	Aug. 31, 1924.	Aug. 31, 1925.
Salaries of:		
Superintendent, provided he shall receive provisions for himself and family, not to exceed \$500 per annum, with fuel, light, water, laundry and housing.....	\$ 2,500.00	\$ 2,500.00
Assistant physician, with board and laundry for himself and family.....	1,800.00	1,800.00
Assistant physician, with board and laundry for himself and family.....	1,600.00	1,600.00
Assistant physician, with board and laundry for himself and family.....		1,500.00
Attendants, thirty-six, not to exceed \$50 per month each	17,280.00	
Attendants, forty-two, not to exceed \$50 per month each		20,160.00
Baker and butcher	900.00	900.00
Barber	720.00	720.00
Carpenter	900.00	900.00
Chaplain	500.00	500.00
Cooks, twelve	5,760.00	
Cooks, fifteen		6,300.00
Dairyman	900.00	900.00
Dentist	500.00	500.00
Dining room girls, four.....	1,440.00	1,440.40
Dietitian		1,200.00
Farmer and outside supervisor.....	900.00	900.00
Farm hands, two	900.00	900.00
Druggist and stenographer	900.00	900.00
Engineer, chief	1,500.00	1,500.00
Engineer, first assistant	900.00	900.00
Engineer, second assistant	720.00	720.00
Firemen, three	2,160.00	2,160.00

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Gardener	\$ 600.00	\$ 600.00
Hall boy	360.00	360.00
Laundress, head	720.00	720.00
Laundress, assistant	480.00	480.00
Laundry girls, three	1,260.00	1,260.00
Matron	720.00	720.00
Nurses, skilled, two	1,800.00	1,800.00
Night watchman, outside	720.00	720.00
Painter and plasterer	900.00	900.00
Park man	600.00	600.00
Seamstress, head	600.00	600.00
Seamstresses, assistant, two	840.00	840.00
Scavenger	480.00	480.00
Shoemaker	600.00	600.00
Supervisor	900.00	900.00
Supervisor, night	720.00	720.00
Supervisoreess	900.00	900.00
Supervisoreess, night	720.00	720.00
Storekeeper and accountant, with board and laundry for himself and family.....	1,200.00	1,200.00
Tailor	480.00	480.00
Teacher, arts and crafts.....	900.00	900.00
Total salaries	\$ 59,280.00	\$ 65,400.00
Maintenance and Miscellaneous:		
Bridges, fences, culverts and grounds.....	\$ 1,500.00	\$ 250.00
Dry goods and clothing.....	13,000.00	15,000.00
Farm machinery	500.00	250.00
Furniture	1,000.00	500.00
Laundry and laundry machine.....	500.00	500.00
Literature and amusements	600.00	750.00
Live stock	500.00	500.00
Support and maintenance	90,000.00	100,000.00
Shop machinery	500.00	500.00
Traveling expenses to medical associations subject to approval of Board of Control...	250.00	250.00
Total maintenance and miscellaneous..	\$ 108,350.00	\$ 118,500.00
Repairs and Improvements:		
Cottages, to build and equip, one first year and two second year.....	\$ 25,000.00	\$ 50,000.00
Employees' home and recreation hall with equipment		50,000.00
Store building		10,000.00
Repairs and improvements	5,000.00	2,500.00
Elevators and hospital equipment.....	25,000.00	
Total repairs and improvements.....	\$ 55,000.00	\$ 112,500.00
Grand total of State Epileptic Colony	\$ 222,630.00	\$ 296,400.00

STATE OROPHANS' HOME.

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Administrative Officers.		
Salaries of:		
Superintendent, with provisions for himself and family, not to exceed in value \$500.00 per annum with fuel, lights, water, laundry and housing	2,000.00	\$ 2,000.00

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Storekeeper and accountant, with board and laundry for himself and family.....\$	1,200.00	\$ 1,200.00
Instructional Staff.		
Band instructor and teacher of wind instruments	900.00	900.00
Director of physical education and playground activities (12 months).....	1,200.00	1,200.00
Instructor in broom making and manual training (11 months).....	1,000.00	1,000.00
Teacher of mechanical engineer.....	1,800.00	1,800.00
Teacher of commercial course (11 months) ..	1,000.00	1,000.00
Teacher of domestic economy (11 months) ..	1,000.00	1,000.00
Teacher of seventh grade (9 months).....	675.00	675.00
Teacher grade four (9 months).....	2,700.00	2,700.00
Teachers, high school, three, two for 9 months and one for 11 months.....	2,700.00	2,700.00
Teacher, piano and voice (11 months).....	1,000.00	1,000.00
Teacher, piano assistant.....	720.00	720.00
Teacher, primary, three (9 months).....	2,025.00	2,025.00
Teacher, principal of school (11 months)....	1,500.00	1,500.00
Teacher, vocational agriculture (12 months)	1,200.00	1,200.00
Miscellaneous Employees.		
Baker	720.00	720.00
Campus and florist.....	720.00	720.00
Carpenter and blacksmith.....	1,000.00	1,000.00
Chaplain and utility man.....	1,200.00	1,200.00
Cook, chief	900.00	900.00
Cook, assistant	600.00	600.00
Cook, assistant	480.00	480.00
Dairyman	600.00	600.00
Dentist	400.00	400.00
Director and dean of girls.....	900.00	900.00
Engineer, chief	1,500.00	1,500.00
Farm foreman	900.00	900.00
Gardener	600.00	600.00
Laundry foreman and instructor.....	900.00	900.00
Laundryman, assistant	300.00	300.00
Matron, head	900.00	900.00
Matrons, eight	4,800.00	4,800.00
Matrons, assistant	960.00	960.00
Night watchman	600.00	600.00
Nurse, trained	1,200.00	1,200.00
Nurse, assistant	300.00	300.00
Physician	1,200.00	1,200.00
Plumber and ice plant foreman.....	900.00	900.00
Seamstresses, three	1,440.00	1,440.00
Shoe and harness repairer.....	600.00	600.00
Specialist for eye, ear, nose and throat.....	600.00	600.00
Stewardess and dietitian.....	900.00	900.00
Total	\$ 48,740.00	\$ 48,740.00
General Maintenance:		
Amusements and entertainments.....\$	500.00	\$ 500.00
Books and school supplies.....	1,200.00	1,200.00
Broom and mattress factory material.....	500.00	500.00
Farm tools	750.00	750.00
Heating and lighting plant material.....	1,000.00	1,000.00
Postage and stationery.....	500.00	500.00
Support and maintenance.....	110,000.00	110,000.00
Telephone rent and tolls.....	200.00	200.00

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Trees and seed for campus.....	\$ 200.00	\$ 200.00
Total general maintenance.....	\$ 114,850.00	\$ 114,850.00
Miscellaneous Items:		
Fire hose and fire fighting supplies.....	\$ 400.00	\$ 400.00
Library, equipment and supplies.....	500.00	300.00
Motor truck	1,700.00	
Musical instruments	1,500.00	500.00
Printing shop equipment.....	1,500.00	
Total miscellaneous items.....	\$ 5,600.00	\$ 1,200.00
Repairs and Improvements:		
Band house, kindergarten building to remodel and equip	10,000.00	
Barn, dairy, addition to.....	5,000.00	
Dormitory and dining hall (for small children) with equipment.....	90,000.00	
General repairs and remodeling and for such other expenditures as may be found most urgent and necessary, including sewer and plumbing	12,500.00	12,500.00
Superintendent's cottage		6,000.00
Machine shop and equipment.....	15,000.00	
Total repairs and improvements.....	\$ 132,500.00	\$ 18,500.00

Grand total Orphans' Home.....\$ 301,690.00 \$ 183,290.00

All teachers and employees, unless otherwise provided, may receive board and room; or, if they live in the cottages, may receive the cottage, light, and water, in addition to the salary fixed, without board.

STATE JUVENILE TRAINING SCHOOL.

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Salaries of:		
Superintendent, with provisions for himself and family, not to exceed in value \$500.00 per annum with fuel, lights, water, laundry and housing	\$ 2,500.00	\$ 2,500.00
Assistant superintendent, with board and laundry for himself and family.....	1,500.00	1,500.00
Commandant	1,500.00	1,500.00
Chaplain	1,500.00	1,500.00
Dentist	600.00	600.00
Druggist and nurse.....	900.00	900.00
Engineer	1,500.00	1,500.00
Engineer, assistant	900.00	900.00
Field inspectors, ten.....	9,000.00	9,000.00
Night watchmen, six.....	5,400.00	5,400.00
Physician, general eye, ear and nose specialist	1,500.00	1,500.00
Storekeeper and accountant, with board and laundry for himself and family.....	1,200.00	1,200.00
Storekeeper and accountant, assistant.....	900.00	900.00
Teachers, not to exceed \$1,800.00 each.....	30,000.00	30,000.00
Total salaries	\$ 58,900.00	\$ 58,900.00
General Maintenance:		
Books and school supplies.....	\$ 1,000.00	\$ 1,000.00
Discharge and transportation.....	6,500.00	6,500.00
Farm implements	2,500.00	2,500.00
Medical and hospital supplies.....	1,500.00	1,500.00

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Postage and express.....	\$ 1,500.00	\$ 1,500.00
Printing plant maintenance.....	600.00	600.00
Stationery and writing material.....	600.00	600.00
Support and maintenance.....	115,000.00	120,000.00
Telephone and telegraph.....	400.00	400.00
Total general maintenance.....	\$ 129,600.00	\$ 134,600.00
Miscellaneous Items:		
Dairy cattle, foundation herd.....	\$ 2,500.00	
Motor truck.....		\$ 1,700.00
Mules and mares to purchase.....		2,000.00
Total miscellaneous.....	\$ 2,500.00	\$ 3,700.00
Repairs and Improvements:		
Boilers, new.....		\$ 6,000.00
Hospital to convert into dormitory.....	\$ 1,500.00	
Laundry, addition and equipment.....	10,000.00	
Repairs, general.....	10,000.00	10,000.00
Superintendent's cottage to convert into hos- pital.....	1,000.00	
Superintendent's cottage to build.....	6,000.00	
Trades school building with equipment.....	100,000.00	
Total repairs and improvements.....	\$ 128,500.00	\$ 16,000.00
Grand total State Juvenile Training School.....	\$ 319,500.00	\$ 213,200.00

GIRLS' TRAINING SCHOOL.

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Salaries of:		
Superintendent, with provisions for himself and family, not to exceed \$500.00 per annum, together with laundry, fuel, water, light and housing.....	\$ 2,000.00	\$ 2,000.00
Dairy attendant.....	720.00	720.00
Farm superintendent.....	900.00	900.00
Farm assistants, two.....	1,440.00	1,440.00
Laundress.....	720.00	720.00
Matrons and housekeepers, seven first year and eight second year.....	4,200.00	4,800.00
Nurse.....	900.00	900.00
Night watchman.....	720.00	720.00
Parole officer.....	900.00	900.00
Plumber and mechanic.....	1,200.00	1,200.00
Physician, resident.....	1,200.00	1,200.00
Storekeeper and accountant, with board and laundry for himself and family.....	1,200.00	1,200.00
Stenographer.....	900.00	900.00
School principal.....	1,200.00	1,200.00
Teachers, academic, three.....	2,520.00	2,520.00
Teacher, domestic science.....	900.00	900.00
Teacher, manual training.....	900.00	900.00
Teacher, sewing.....	720.00	720.00
Teacher, music.....	900.00	900.00
Y. W. C. A. secretary.....	720.00	720.00
Total salaries.....	\$ 24,860.00	\$ 25,460.00
General Maintenance and Miscellaneous:		
Commercial department.....	\$ 300.00	\$ 300.00

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Domestic science department.....\$	300.00	\$ 300.00
Farm equipment	500.00	500.00
Fire equipment	300.00	300.00
Fuel	4,000.00	4,000.00
Greenhouse	300.00	300.00
Hospital supplies	600.00	600.00
Library books and supplies.....	500.00	500.00
Maintenance of walks and drives.....	500.00	500.00
Literature and amusement.....	500.00	500.00
Millinery and sewing	500.00	500.00
Physical training	300.00	300.00
Parole and traveling expenses, on approval of Board of Control.....	2,000.00	2,000.00
Support and maintenance.....	28,500.00	28,500.00
Total general maintenance and miscellaneous \$	39,100.00	\$ 39,100.00
Repairs and Improvements:		
Cottages, three, to build, equip and furnish..\$	10,000.00	20,000.00
To remodel "Henry" College.....	10,000.00	
Storeroom and warehouse.....	3,500.00	
Repairs and completions.....	1,000.00	1,000.00
Total Repairs and Improvements.....\$	24,500.00	\$ 21,000.00
Grand Total, Girl's Training School..\$	88,460.00	\$ 85,560.00

STATE COLONY FOR FEEBLE MINDED.

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Salaries of:		
Superintendent, including provisions for himself and family, not exceeding \$500 per annum, with fuel, light, water, laundry and housing \$	2,500.00	\$ 2,500.00
Assistant physician, including board and laundry for himself and family.....	1,800.00	1,800.00
Attendants, eighteen, none to exceed \$50 per month each	9,600.00	9,600.00
Attendants, ten, not to exceed \$50 per month each		4,800.00
Attendants, dining room, two.....	840.00	840.00
Carpenter	900.00	900.00
Chaplain	300.00	300.00
Cobbler	660.00	660.00
Cook, chief	660.00	660.00
Cooks, assistant, four, one of whom may be used by Superintendent	1,860.00	1,860.00
Dairyman	600.00	600.00
Engineer, electrician, plumber, and manager of laundry	1,500.00	1,500.00
Farm hands, two	1,200.00	1,200.00
Firemen, two	1,440.00	1,440.00
Gardener	600.00	600.00
Laundresses, three	1,260.00	1,260.00
Matron and supervisoress	900.00	900.00
Night watchman, outside	720.00	720.00
Seamstress	540.00	540.00
Stenographer and assistant bookkeeper.....	900.00	900.00
Storekeeper and accountant, including board and laundry for himself.....	1,200.00	1,200.00

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Supervisor and farm superintendent.....	\$ 840.00	\$ 840.00
Supervisoreess and nurse	840.00	840.00
Teachers' Salaries:		
Educational director	1,600.00	1,600.00
Grade teacher	1,080.00	1,080.00
Grade teacher		1,080.00
Industrial teacher	1,080.00	1,080.00
Kindergarten teacher	1,080.00	1,080.00
Manual training teacher	1,080.00	1,080.00
Music teacher	1,080.00	1,080.00
Orchestra director	1,080.00	1,080.00
Physical training teacher.....	1,080.00	1,080.00
Primary teacher	1,080.00	1,080.00
Total Salaries	\$ 42,320.00	\$ 48,200.00
General maintenance:		
Dry goods and clothing	\$ 7,000.00	\$ 10,000.00
Support and maintenance.....	40,000.00	50,000.00
Treatment of eye, ear, nose and throat	350.00	350.00
Traveling expenses to medical associations, on approval of Board of Control.....	250.00	250.00
Total Maintenance.....	\$ 47,600.00	\$ 60,600.00
Repairs and Improvements:		
Bakery and equipment to add to present kitchen		3,000.00
Dormitories with equipment.....	100,000.00	
Reinforcing foundation of Dormitory No. 2..	1,000.00	
School, industrial, office, auditorium and gymnasium building with equipment.....		75,000.00
Smokestack addition	1,000.00	
Total Repairs and Improvements	\$ 102,000.00	\$ 78,000.00
Grand Total, State Colony for Feeble Minded	\$ 191,920.00	\$ 186,800.00

STATE TUBERCULOSIS SANATORIUM.

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Salaries of:		
Superintendent with provisions for himself and family not to exceed in value \$500.00 per annum, including lights, water, fuel, laundry and housing	\$ 2,500.00	\$ 2,500.00
Assistant physician with board and laundry for himself and family	1,500.00	1,500.00
Assistant physician, second, with board for himself and family	1,200.00	1,200.00
Assistant physician, third, with board and laundry for himself and family	1,200.00	1,200.00
Baker	900.00	900.00
Carpenter	900.00	900.00
Chaplain	600.00	600.00
Cleaners and sweeper	1,800.00	1,800.00
Cook, chief	900.00	900.00
Cooks, assistant	3,240.00	3,240.00
Dairy foreman	900.00	900.00
Dairy assistants, three	1,440.00	1,440.00
Dentist	900.00	900.00
Dishwashers	1,080.00	1,080.00
Druggist	900.00	900.00

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Engineer	\$ 1,500.00	\$ 1,500.00
Engineer, assistant and electrician	1,000.00	1,000.00
Engineer, ice plant	840.00	840.00
Farm hands	2,400.00	2,400.00
Fireman, not to exceed \$720.00 each	1,800.00	1,800.00
Gardener	900.00	900.00
Hack driver	420.00	420.00
Housekeepers, three	900.00	900.00
Laboratory and X-ray expert	1,000.00	1,000.00
Laundry foreman	1,000.00	1,000.00
Laundry workers	960.00	960.00
Laundresses, seven	2,940.00	2,940.00
Librarian	180.00	180.00
Matron and dietitian	1,200.00	1,200.00
Marker and sorter	720.00	720.00
Nightwatchman	600.00	600.00
Nurses, superintendent of	1,200.00	1,200.00
Nurses, graduate, not to exceed \$60.00 per month each	5,400.00	5,400.00
Nurses, non-graduate, not to exceed \$20.00 per month each	5,000.00	5,000.00
Outside supervisor	900.00	900.00
Painter	900.00	900.00
Pot washers, two	840.00	940.00
Poultryman	600.00	600.00
Seamstress	540.00	540.00
Stenographer and record keeper	900.00	900.00
Storekeeper and accountant with board and laundry for himself and family	1,200.00	1,200.00
Storekeeper and accountant, assistant	720.00	720.00
Telephone operator	300.00	300.00
Waitresses, twenty	7,200.00	7,200.00
Yardman	600.00	600.00
Total Salaries	\$ 64,620.00	\$ 64,620.00
General Maintenance:		
Equipment, laboratory and X-ray	1,000.00	1,000.00
Films, amusements and books	2,000.00	2,000.00
Improvements, yards and grounds	1,000.00	500.00
Lecturing, publications and literature	10,000.00	10,000.00
Support and maintenance	110,000.00	110,000.00
Traveling expenses when on State's business	400.00	400.00
Total General Maintenance	\$ 124,400.00	\$ 123,900.00
Repairs and Improvements:		
Carpentry and blacksmith shop with equipment	2,000.00	\$
Dormitory for women, equipped for twenty-five patients	25,000.00	
Two dormitories for men, each equipped for twenty-five patients		50,000.00
Repairs and extensions, including addition to library building	12,000.00	2,000.00
Total General Maintenance	\$ 39,000.00	\$ 52,000.00
Grand Total Texas Tuberculosis Sanatorium	\$ 228,020.00	\$ 240,520.00

HOSPITAL FOR CRIPPLED AND DEFORMED CHILDREN

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Salary of head nurse.....	\$ 900.00	\$ 900.00
Maintenance of X-ray equipment.....	500.00	500.00
Support and maintenance	13,000.00	13,000.00

Grand total Hospital for Crippled
and Deformed Children.....\$ 14,400.00 \$ 14,400.00

DEAF, DUMB AND BLIND INSTITUTE FOR COLORED YOUTHS.

For the years ending
Aug. 31, 1924 Aug. 31, 1925

Salaries of:

Superintendent, with provisions for himself and family, not to exceed in value \$500 per annum, with fuel, light, laundry, water and housing	\$ 1,800.00	\$ 1,800.00
Storekeeper and accountant with board and laundry for himself and family.....	1,200.00	1,200.00
Oculist for twelve months.....	720.00	720.00
Physician for twelve months	600.00	600.00
Instructional Staff:		
Principal, nine months.....	1,125.00	1,125.00
Teacher, first oral for deaf, nine months....	720.00	720.00
Teacher, assistant oral for deaf, nine months	630.00	630.00
Teacher, assistant oral for deaf, nine months	630.00	630.00
Teacher, advanced manual training, for deaf	720.00	720.00
Teacher primary manual training for deaf..	630.00	630.00
Teacher, intermediate manual training, for deaf	630.00	630.00
Teacher high school for advanced blind.....	720.00	720.00
Teacher, second, for blind.....	630.00	630.00
Teacher, third, for blind.....	630.00	630.00
Teacher, fourth, for blind.....	630.00	630.00
Teacher, primary and kindergarten.....	630.00	630.00
Teacher, handicraft drawing, painting and rug making	675.00	675.00
Teacher, domestic art, deaf and blind.....	630.00	630.00
Teacher, domestic art and sewing, deaf and blind	450.00	450.00
Teacher, domestic science, deaf and blind...	630.00	630.00
Teacher, industrial branches, ten months...	700.00	700.00
Teacher, tailoring	630.00	630.00
Teacher, shoemaking.....	675.00	675.00
Teacher, manual training and general car- pentering, twelve months	900.00	900.00
Teacher, piano tuning and repairing.....	450.00	450.00
Teacher, instrumental music	720.00	720.00
Teacher, assistant instrumental	630.00	630.00
Teacher, vocal music	630.00	630.00
Teacher, typewriting and physical training..	630.00	630.00
Miscellaneous Employees:		
Cook, head, twelve months.....	720.00	720.00
Cook, assistant, nine months.....	405.00	405.00
Dishwasher and scrubber.....	300.00	300.00
Dairyman and assistant in outside work....	480.00	480.00
Engineer, electrician and plumber.....	900.00	900.00
Assistant, nine months	630.00	630.00
Farmer	600.00	600.00
Farm hands and teamsters, two.....	960.00	960.00

For the years ending		
	Aug. 31, 1924	Aug. 31, 1925
Housekeeper	\$ 420.00	\$ 420.00
Laundryman, head	900.00	900.00
Laundresses, four, two for nine months and two for twelve months	1,260.00	1,260.00
Matron, for large deaf and blind boys, nine months	450.00	450.00
Matron, for small deaf boys, nine months . . .	360.00	360.00
Matron for small blind boys, nine months . . .	360.00	360.00
Matron, dining hall	480.00	480.00
Matron, assistant, dining hall, nine months .	315.00	315.00
Night watchman	600.00	600.00
Nurse, trained, nine months	675.00	675.00
Preceptress of girls, nine months	540.00	540.00
Preceptress of girls, assistant, nine months .	405.00	405.00
Yardman, assistant in outside work	480.00	480.00
Total	\$ 33,235.00	\$ 33,235.00
General Maintenance:		
Amusement and playground apparatus	\$ 650.00	\$ 200.00
Automobile truck to exchange		1,150.00
Books, point paper, slates, globes, maps and kindergarten material	600.00	500.00
Dry goods and clothing	3,000.00	3,000.00
Dental work	100.00	100.00
Fuel, water, light and power	4,000.00	4,000.00
Furniture		600.00
Hospital operation expenses	300.00	300.00
Musical instruments	900.00	700.00
Machinery and tools	500.00	300.00
Support and maintenance	25,000.00	25,000.00
Stationery, postage, catalogue, printing . . .	250.00	250.00
Transportation for indigent pupils	600.00	600.00
Traveling expenses, subject to approval of Board of Control	150.00	150.00
Total	\$ 36,050.00	\$ 36,950.00
Repairs and Improvements:		
Building dairy barn and increasing dairy herd, to be available both years	\$ 5,000.00	
Industrial building of chapel, class rooms and equipment	65,000.00	
Improvement of grounds	600.00	300.00
General repair and repair of buildings and extension of storeroom and hospital	7,000.00	3,000.00
Total	\$ 77,600.00	\$ 3,300.00
Grand total for Deaf, Dumb & Blind Institute for Colored Youths	\$ 146,885.00	\$ 73,485.00

HOME FOR DEPENDENT AND NEGLECTED CHILDREN.

For the years ending		
	Aug. 31, 1924	Aug. 31, 1925
Salaries of:		
Superintendent, provided he shall receive pro- visions not to exceed in value \$500.00 per annum, with water, light, laundry, fuel and housing for self and family	\$ 2,000.00	2,000.00
Campus man, gardner, farmer & dairyman . .	900.00	900.00
Cook, chief	600.00	600.00
Engineer, fireman and plumber	900.00	900.00

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Matron and nurse.....	\$ 900.00	\$ 900.00
Two teachers	1,800.00	1,800.00
Music teacher	900.00	900.00
Physician	720.00	720.00
Seamstress	600.00	600.00
Storekeeper and accountant with board and laundry for self and family.....	1,200.00	1,200.00
Total salaries	\$ 10,520.00	\$ 10,520.00
General Maintenance, Repairs, and Improvements:		
To enclose porches and equipment.....	\$ 1,500.00	1,500.00
Support and maintenance not otherwise provided for herein and the Board of Control is authorized to make such purchases and employ such additional help and to make such other expenditures out of this fund as may be deemed necessary for the proper equipment and maintenance of this institution	27,500.00	27,500.00
Total	\$ 29,000.00	\$ 29,000.00
Grand Total Home for Dependent and Neglected Children.....	\$ 39,520.00	\$ 39,520.00

RECAPITULATION.

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Confederate Woman's Home	\$ 68,655.00	\$ 45,180.00
State Confederate Home	134,870.00	125,270.00
State Lunatic Asylum	571,850.00	496,850.00
State Pasteur Institute.....	7,150.00	6,900.00
Southwestern Insane Asylum	495,200.00	385,700.00
North Texas Hospital for Insane	445,790.00	446,790.00
East Texas Hospital for Insane	271,970.00	267,870.00
Northwest Texas Insane Asylum	277,910.00	301,830.00
State Epileptic Colony	222,630.00	296,400.00
State Orphans Home	301,690.00	183,290.00
State Juvenile Training School	319,500.00	213,200.00
Girls Training School	88,460.00	85,560.00
State Colony for Feeble Minded	191,920.00	186,800.00
State Tuberculosis Sanatorium	228,020.00	240,520.00
Hospital for Crippled and Deformed Children	14,400.00	14,400.00
Deaf, Dumb and Blind Institute for Colored Youths	146,885.00	73,485.00
Home for Dependent and Neglected Children	39,520.00	39,520.00
Total	\$3,826,420.00	\$3,409,565.00
Total both years	\$7,235,985.00	

All salaries shall be paid in twelve equal monthly installments except as otherwise herein provided; and all employees may receive board except when otherwise stated.

No property belonging to any of the above institutions shall be sold or disposed of without the consent of the Board of Control; and all proceeds from the sale of any such property,

from labor performed, and from the sale of crops, shall be paid into the State Treasury and shall become a part of the State General Fund; and a complete statement of all such transactions shall be made in the annual report of said institution.

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and

for the several purposes named herein, and no expenditures shall be made, nor shall any obligations be incurred, which, added to the actual expenditures, will exceed the amount herein appropriated for either of said purposes.

If any work be not done or the place not filled by the appointment of a person, for whom a salary is herein fixed, then such salary shall lapse and be returned to or left in the State Treasury; provided, that no person for whom any salary is herein fixed shall be allowed to draw more than the amount of such salary from any other salary or amount herein fixed, or from any fees authorized to be charged, or from any State fund or funds under the control of the governing authority of such particular institution; and provided, that if any amount herein fixed for any particular purpose be not used for such purpose in whole or in part the unused portion of such fixed amount shall be returned to or left in the State Treasury; and provided further that this language shall not be construed to prevent promotions, or the transfer of one employee from the position for which employed, having affixed thereto one salary, to another position having affixed thereto a different salary.

When, under this bill, the family of any Superintendent, officer or employee of any of said institutions are permitted to live at said institution, and furnished with board, fuel, lights, laundry, water, housing, or furnished any of said things, the word "Family" shall be construed to mean the immediate family of said Superintendent, officer or employee, including himself, wife, and minor children only, and no other person or persons, is to be furnished with provisions not to exceed some certain amount stated, and it shall be the duty of the storekeeper and accountant to charge said Superintendent, officer or employee with each item of provisions as furnished him, showing the price or value thereof, and said storekeeper shall not permit the amount authorized to be exceeded, and shall make a monthly report of same to the Board of Control and said Board of Control shall be charged with the duty of seeing that no account for such provisions exceeds the amount allowed therefor.

And it is further provided that the heads of all said Institutions hereinbefore mentioned shall keep a record of the absences of the various employ-

ees and the reason therefor, whether from sickness, vacations, or leave of absence, and that the record of such absences be incorporated in the report made annually by the head of said Institution.

Provided, that all new buildings authorized by this Act costing more than \$10,000.00 and for which appropriations are hereby made, except as otherwise provided, shall be of fire-proof construction, and that part of all plans and specifications for the erection of buildings pertaining to fire-proof construction and the installation of fire protection shall be submitted to, and approved by, the State Fire Insurance Commission before any contract or contracts for erection or installation are made; and upon completion, and before final estimate of the contract prices paid, shall be subject to inspection and approved by said Commission with regard to all matters pertaining to fireproof construction or the installation of fire protection.

The amounts appropriated in this Act are intended to cover the entire costs of the respective items, and it is especially provided hereby, that all contracts and undertakings entered into, under and by virtue of the terms hereof for improvements, enlargements and repairs on buildings and grounds for the construction of new buildings and for furnishings and equipment of buildings, shall be made strictly within the limits and terms of the appropriations made for such purposes, and it shall be the duty of the Board of Control of the various institutions in the consideration and adoption of plans, specifications and contracts therefor, not to exceed such appropriations nor to incur any obligations in excess thereof.

BEASLEY,
IRWIN,
DUNN,
LOFTIN,
SIMPSON,

On the part of the House.

WOOD,
WITT,
McMILLIN,
RIDGEWAY,
LEWIS,

On the part of the Senate.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, May 14, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 26, A bill to be entitled "An Act to amend Articles 7369, 7370, 7371, 7372, 7373, 7377, 7378 and 7382, of Chapter 2, Title 126 of the Revised Civil Statutes of Texas 1911, relative to the levying of occupation taxes upon individuals, companies, corporations and associations pursuing any of the occupations, that is, viz., express companies, telegraph companies, gas, electric light, power or waterworks, collecting or commission agencies, car companies, wholesale dealers in oil, interurban and electric railway companies and telephone companies; providing for an increase of the gross receipts tax to be paid by said companies; providing for a new article to be numbered 7383b, to provide that each company subject to the provisions of this chapter shall cause to be made and to be kept and preserved a full and complete record of all business done by said companies during the time so engaged in said business, and said record shall be open to the inspection of all tax officers of the State; and also providing further that any company subject to the provisions of the Intangible Tax Law as set out in Chapter 4, Title 126 of the Revised Statutes of 1911, and all amendments thereto, and are complying with the provisions of said law, shall not be subject to the provisions of this chapter, and declaring an emergency," with engrossed rider.

S. B. No. 73, A bill to be entitled "An Act relative to State parks; creating a State Parks Board to investigate prospective park sites in the State and report to the Legislature with recommendations; authorizing the board to solicit and accept donations of land for State park purposes; making an appropriation for expenses of the board; providing that localities may pay expenses of the board in visiting such locality to investigate and inspect land for park purposes; and declaring an emergency," with amendments.

Amended

S. B. No. 65, A bill to be entitled "An Act amending the statutes relative to primary elections, by amending Article 3084 of the Revised Civil Statutes of the State of Texas of 1911, so as to authorize the nomination by parties casting not more than one hundred thousand votes for

their nominee for Governor at the next preceding general election, to nominate candidates from Texas for the United States Senate as is permitted by Articles 3159, 3160, 3161, 3162 and 3163 of the Revised Civil Statutes of the State of Texas of 1911."

By striking out the enacting clause by a vote of 85 yeas, 25 nays.

House refused to pass

S. B. No. 80, A bill to be entitled "An Act to provide additional compensation for the members of the Railroad Commission of Texas, payable one-half out of the Regulating Pipe Line Fund created by Section 11, Chapter 30, Acts of the Regular Session of the Thirty-fifth Legislature, approved February 20, 1917, and one-half out of the 'Gas Utilities Fund' created by Section 11, Chapter 14, Acts of the Third Called Session of the Thirty-sixth Legislature, approved June 12, 1920, said sums to be paid in monthly installments by warrants drawn by the State Comptroller on the State Treasurer, as provided in said Acts for other salaries and expenses, and declaring an emergency," to third reading by a vote of 47 yeas to 53 nays.

S. B. No. 63, A bill to be entitled "An Act providing for the execution of convicts, condemned to death, by electrocution; prescribing the procedure in such cases; providing the means for accomplishing the purposes of this Act and making an appropriation therefor; prescribing fees to be paid; repealing certain statutes with saving clauses, and all laws or parts of laws in conflict herewith, and declaring an emergency," with amendments.

S. B. No. 79, A bill to be entitled "An Act making an appropriation to be used in the erection of a monument in the city of Houston in memory of Sam Houston, who headed the military forces in Texas' struggle for freedom and who was president of the Republic of Texas; said appropriation to be used together with other funds for said purpose from private donations; providing the means, agencies and expenditure of said fund and erection of the monument; and declaring an emergency."

S. B. No. 110, A bill to be entitled "An Act fixing the compensation of county commissioners in counties having a population of not less than sixteen thousand five hundred nor more than seventeen thousand five hundred according to the last United

States census, and which have an area of not less than eleven hundred and fifty square miles nor more than twelve hundred square miles and declaring an emergency."

S. B. No. 82, A bill to be entitled "An Act to create and provide for a Department of Banking for the State of Texas, separate from the Department of Insurance of this State, to provide for the appointment, term of office, and to prescribe the qualifications, powers and duties of the head of such department; providing for a seal of office; requiring of the Banking Commissioner of Texas an oath of office and a bond for the faithful discharge of his duties; providing for the appointment of a Deputy Commissioner of Banking, defining his duties, fixing his oath of office and a bond for the faithful discharge of the duties of his office; providing clerical help for such department; providing for the appointment of State Bank Examiners, fixing their number, salaries and duties, providing for the number of examinations that shall be made by State Examiners of State Banks, fixing the fees they shall be paid for such examinations and providing how payments for salaries and expenses of examinations shall be made; providing for the appointment of a departmental examiner, prescribing his duties and fixing his compensation; providing for the appointment of a general liquidating agent, prescribing his duties and fixing his compensation; amending Chapter 10 General Laws of Texas, passed by the First Called Session of the Twentieth Legislature in 1905, being Senate Bill No. 6, and amending Section 38 of said Chapter 10; amending Chapter 205, General Laws of the Thirty-fifth Legislature, passed at the Regular Session in 1917 and amending Section 5 of said Chapter 205; amending Chapter 15 of the Second Called Session of the Thirty-first Legislature passed in 1909, being Senate Bill No. 4; amending Articles 518, 519, 521, 521a and 522, Revised Civil Statutes of 1911 and amendments thereof, as amended by the Acts of the Thirty-first Legislature at its Regular Session in 1909, being Section 44 of Chapter 15 of Senate Bill No. 4, and Article 521a, Revised Civil Statutes of 1911 and amendments thereof, as amended by Chapter 205, Section 7, Acts of the Thirty-fifth Legislature at its Regular Session in 1917; repealing all laws and parts of laws, in conflict

herewith, and declaring an emergency," with amendments.

S. B. No. 90, A bill to be entitled "An Act making available to the Board of Control any moneys which represent any unexpended balance of any appropriation made for support and maintenance of the American Legion Memorial Sanatorium, so that such moneys may be used to pay any necessary expense incident to the carrying out of the lease of said sanatorium to the Federal Government, and transferring patients to the institution, and taking care of other patients unable to be transferred, and declaring an emergency."

S. B. No. 91, A bill to be entitled "An Act creating the Texas Historical Board; defining its powers and duties; fixing the tenure of office of its members; and declaring an emergency."

S. B. No. 98, A bill to be entitled, "An Act to amend Articles 4256 and 4257 of an Act entitled Guardian and Ward, Chapter 17, Title 64 of the Revised Civil Statutes of Texas, 1911, providing for the appointment and qualification of non-resident guardians of the estate of non-resident minors in the State of Texas; prescribing the procedure in such cases; fixing the amount of bond of such guardians; providing for the removal out of the State of Texas of personal property of such estates; providing for the sale of real property belonging to such estates and removal of the proceeds thereof; providing for the procedure in such sales, and validating the proceedings heretofore taken under Chapter 7, Title 64, Revised Civil Statutes of Texas, 1911, and as since amended qualifying such guardians, and sales of real estate heretofore made by such non-resident guardians, made in accordance with the provisions of Chapters 11 and 12, Title 64, Revised Civil Statutes of Texas, 1911, and as since amended; and to repeal all laws in conflict herewith, and declaring an emergency."

S. B. No. 99, A bill to be entitled "An Act to amend Chapter 2, Title 65, Revised Statutes of 1911, by adding thereto Article 4352a pertaining to the registration of bonds and prescribing the duties with reference thereto of the Comptroller, his chief clerk and bond clerk, and validating registration of bonds heretofore registered; and declaring an emergency."

Failed to pass finally

S. B. No. 14, A bill to be entitled "An Act authorizing the board of

directors to purchase additional lands adjacent to the Agricultural and Mechanical College of Texas, the title to said lands to be taken in the name of the board of directors and their successors, and said lands to be subject to the control of said board of directors; said lands comprising approximately three hundred and eighty three (383) acres in several tracts whose ownership or description is therein indicated; providing for the purchase from the different owners and authorizing condemnation proceedings in case the price of the several tracts cannot be agreed upon between the respective owners and said board of directors; providing the manner of paying vouchers and approving the sale of said lands by State officials, making an appropriation for the purchase of said lands out of the general revenues, and declaring an emergency," by a vote of 36 yeas, 53 nays, 4 present not voting.

S. B. No. 20, A bill to be entitled "An Act making an appropriation for additional inspectors for the Live Stock Sanitary Commission, to pay compensation or expenses of such inspectors, said appropriation to be available for the fiscal year ending August 31, 1923; and declaring an emergency."

Failed to pass finally

S. B. No. 30, A bill to be entitled "An Act to amend Section 36, Acts of 1919, Second Called Session, Chapter 78, of the General Laws of the State of Texas, so as to provide adequate and proper punishment for the violation of said chapter, same being the Statewide Intoxicating Liquor Prohibition law; and declaring an emergency," by a vote of 43 yeas, 64 nays.

S. B. No. 62, A bill to be entitled "An Act authorizing cities having more than five thousand inhabitants to specially illuminate districts thereof, and to construct, install, equip and maintain a system of artificial lights as a local public improvement; providing for abutting property owners desiring such public improvement to petition for same or that same may be done by the governing authorities of the city without such petition; providing for the cost of such local public improvement to be paid by the abutting property owners by assessment in an amount not to exceed the

benefits received by the property; providing for a lien against the property and a personal claim against the owner and the issuance of assignable certificates, payable in installments with interest against the property owner for the amount of the assessment; providing for the letting of the contract for such public improvement by the city and providing for a hearing for the property owners to be heard and make objections; providing for the enforcement of the assessment by suit against the property owners; providing for suit by the property owner to attack the validity of the proceedings hereunder; providing for the system after being completed becoming the property of the city to be maintained and kept up at its expense; and providing for an emergency."

S. B. No. 69, A bill to be entitled "An Act providing that where the State of Texas, through the Game, Fish, and Oyster Commissioner, has issued a permit to excavate and take from any island, reef, bar, lake, river, creek, bayou, or bay of this State marl, mud, shell, oyster shell, sand, and gravel, the State, at the request of the permit holder shall have the right and power to condemn land for the purpose of erecting dredges and necessary equipment, railroad spurs, and of opening roads and passage ways to said place of operations; and providing that the method of condemnation shall be the same as is now provided by law in case of railroads; providing that suit may be instituted by the Attorney General of Texas in the county where such permit is situated and the cost of same be paid by the permit holder or his assigns seeking condemnation; and declaring an emergency."

S. B. No. 71, A bill to be entitled "An Act authorizing independent school districts to employ their own tax assessors and to have their taxes collected by the county tax collector, without being required to have their assessments made at the same valuations that are used for State and county taxation, and repealing all laws and parts of laws in conflict with this Act, and declaring an emergency."

S. B. No. 74, A bill to be entitled "An Act abolishing special funds in the State Treasury set aside therein for special and particular purposes and placing all moneys that are in such funds in the general revenue fund so that all moneys shall be paid out on general warrants on an equal

basis, payable as to order of payment according to serial number; prescribing how such warrants shall be numbered serially; providing that this Act shall not apply to special funds created and provided for in the State Constitution which the Legislature cannot place or make applicable to the general revenue fund as herein provided for other special funds, nor to special funds consisting of taxes remitted or donated to counties, cities or localities; enacting the necessary provisions so that the general revenue fund will get the benefit of any such special funds now on hand to be collected; and declaring an emergency."

S. B. No. 83, A bill to be entitled "An Act creating the Parks Independent School District in Stephens County, Texas; defining its boundaries; providing for a board of trustees in said district, conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws upon independent school districts and the boards of trustees thereof; providing that the management and control of the public free schools of said district shall be vested in a board of trustees composed of seven persons, and providing for the election and qualification of said trustees; providing for the appointment of a tax assessor and collector and board of equalization for said district, and declaring an emergency."

S. B. No. 111, A bill to be entitled "An Act to amend Title 5, Article 30, paragraphs 15 and 59, of the Revised Civil Statutes of Texas, of 1911, which Article provides for judicial districts of the State; and which paragraph 15 defines the Fifteenth Judicial District and determines the date and length of term of such district court in Grayson County; and which paragraph 59 defines the Fifty-ninth Judicial District and determines the date and length of term of such district court in each of the counties of said district, namely, Grayson and Collin Counties, and which amendment provides for a change in the terms and time of holding court in each of said judicial districts, and declaring an emergency."

H. B. No. 30, A bill to be entitled "An Act to repeal Article 7383a as enacted by the Thirty-eighth Legislature relating to occupation taxes based upon gross receipts, and adding in lieu thereof a new Article 7383a, providing an occupation tax on sulphur pro-

duced in the State of Texas by individuals, companies, corporations and associations, and reviving Article 7383-a, providing that in the event of either or a part of article be held unconstitutional by the courts shall not invalidate the remainder of said article, and declaring an emergency," with engrossed rider.

H. B. No. 44, A bill to be entitled "An Act to establish and maintain a State School of Correspondence at Austin, Texas; to provide for all courses of study by correspondence that supply the needs of Texas people; to provide for the appointment of an executive board for same and prescribe their duties; to provide for the appointment of members of the faculty, prescribe their duties and provide for the salaries of members of said faculty, and declaring an emergency."

H. B. No. 66, A bill to be entitled "An Act regulating the lighting of all motor vehicles in Texas, providing for the testing of such lighting devices and the approval of same by the State Highway Commission before being used on any motor vehicle operated within this State; giving the Highway Commission power to conduct such test and providing that they shall charge a fee sufficient to cover the actual expense of conducting such test; providing penalties for the violation of this Act, and repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 110, A bill to be entitled "An Act to regulate the packing and the marking of packages and containers; requiring the net quantity of the contents of such packages or containers to be plainly and conspicuously marked on the outside of package or container; defining the term 'container'; giving authority to the State Superintendent of Weights and Measures to supervise the enforcement of this Act; providing for penalties for the enforcement of this Act; repealing Section 8, Chapter 130, Acts of the Regular Session of the Thirty-sixth Legislature and all laws in conflict, and declaring an emergency."

H. B. No. 111, A bill to be entitled "An Act to prohibit the reckless driving and operation of motor vehicles on the public highways of the State of Texas, and prescribing penalties therefor, and defining reckless driving and operation."

H. B. No. 117, A bill to be entitled "An Act to amend Article 7012 1-2y, Revised Civil Statutes of the State of

Texas; fixing the compensation of county tax collectors, for the collection of license fees on motor vehicles, tractors and trailers; exempting said fees from fee bill; repealing all laws in conflict herewith, and declaring an emergency."

S. B. No. 47, A bill to be entitled "An Act to amend Article 7012 1-2y, Revised Civil Statutes of the State of Texas, fixing the compensation of county tax collectors, for the collection of license fees on motor vehicles, tractors, and trailers; exempting said fees from fee bill; repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 114, A bill to be entitled "An Act to safeguard the public in the purchase of pure-bred cotton seed true to name; creating a State board of plant breeder examiners, defining their duties, establishing a system of registration and certification; providing that the State board of plant breeder examiners shall prescribe all necessary rules and regulations and pass upon the application of breeders and growers for registration and certification; providing further that the Commissioner of Agriculture shall make the necessary inspection for the proper enforcement of said Act and shall have printed tags to be placed upon bags and other containers of cotton seed offered for sale under the terms of this Act, and charge a fee for same; and to enforce the provisions of this Act; prescribing penalties for the violation of this Act; providing that this Act shall be cumulative of Chapter 62, Acts of the Second Called Session of the Thirty-sixth Legislature and declaring an emergency."

H. B. No. 127, A bill to be entitled "An Act amending Section 39 of Chapter 42, General Laws of the First Called Session of the Thirty-seventh Legislature, relative to public roads and highways, so as to except and exempt from the provisions of said chapter the county of Cherokee, and declaring an emergency."

H. B. No. 149, A bill to be entitled "An Act amending Article 7015 of Chapter 9, Title 119, of the Revised Civil Statutes of Texas, 1911, relating to the building of toll bridges, giving commissioners' courts the power of levying amount of tolls, limiting the number of years the builder shall control such bridges and providing for upkeep of bridges; extending the provisions of this article so that counties with a population of 10,000 or less may con-

tract for a period not to exceed fifteen years, and declaring an emergency."

H. B. No. 158, A bill to be entitled "An Act to facilitate the marketing and distribution of the natural resources of the State, and the products manufactured therefrom, by extending the right of condemnation to certain corporations and declaring an emergency," with engrossed rider.

H. B. No. 174, A bill to be entitled "An Act to amend Article 7629 of the Revised Civil Statutes of 1911, pertaining to credits allowed tax collectors for unpaid taxes reported or returned by them as delinquent or insolvent."

H. B. No. 175, A bill to be entitled "An Act to amend Subdivision 5 of Article 7618 of the Revised Civil Statutes of 1911 as amended by Chapter 124, page 190, General Laws, Regular Session, Thirty-fourth Legislature, approved March 22, 1915, pertaining to the collection of delinquent taxes and insolvent taxes, and making reports of same by county tax collectors."

H. B. No. 186, A bill to be entitled "An Act to amend Sections 3 and 20 of House bill No. 13, passed at the Regular Session of the Thirty-eighth Legislature and approved by the Governor on February 28, 1923, and being "An Act providing for the licensing, bonding and regulating of private employment agents; limiting the fee charged by such agents; providing for the cancellation of such license; prescribing the duties of the Commissioner of Labor Statistics for the State of Texas with reference to the enforcement of this Act; providing for recoveries on said bond; fixing penalties for the violation of this Act; creating a special fund for the enforcement of this Act and appropriating same for said purposes; repealing certain laws and all laws or parts of laws in conflict herewith and declaring an emergency, and to further amend said House bill No. 13 by adding after Section 20 thereof a new section to be known as Section 20a; the purpose of these amendments is to permit the issuance of licenses to residents of this State to engage in the business of employment agents; to remove discrimination against alien residents of this State who desire to engage in said business; to require certain statements to be made in application for license and to fix the amount and form of bond required to be given by those who are licensed to engage in the business; and to define certain offenses and prescribe penalties there-

for; and to provide for restraining by injunction of any person or persons pursuing the business of employment agent or conducting an employment office without first having obtained a license therefor, and declaring an emergency."

H. B. No. 196, A bill to be entitled "An Act making it unlawful to deposit filth, trash, tin cans, rubbish and waste material of any nature in any public street, road or highway, or upon any private land or property; prescribing penalty for the violation of this Act, and declaring an emergency."

H. B. No. 207, A bill to be entitled "An Act to relieve certain schools and school districts of the State by validating certain school districts, and where such districts have undertaken to provide for the issuance of school-house bonds or the levying of special taxes for any unlawful school purposes, validating such bond issues and taxes, and declaring an emergency."

H. B. No. 224, A bill to be entitled "An Act to amend Articles 4256 and 4257 of an Act entitled guardian and ward, Chapter 17, Title 64, of the Revised Statutes of Texas, 1911, providing for the appointment and qualification of non-resident guardians of the estate of non-resident minors in the State of Texas; prescribing the procedure in such cases; fixing the amount of the bond of such guardians; providing for the removal out of the State of Texas of personal property of such estates; providing for the sale of real property belonging to such estates and removal of the proceeds thereof; providing for the procedure in such sales, and validating any proceedings heretofore taken under Chapter 17, Title 64, Revised Civil Statutes of Texas, 1911 and as since amended, qualifying such guardians and sales of real estate heretofore made by such non-resident guardians made in accordance with the provisions of Chapters 11 and 12, Revised Civil Statutes of Texas, 1911, and as since amended; and to repeal all laws in conflict herewith, and declaring an emergency."

H. B. No. 212, A bill to be entitled "An Act to repeal Section 23, Chapter 47, General Laws, passed at the Regular Session of the Thirty-second Legislature, requiring manufacturers of food and drugs doing business in the State of Texas, and all persons bringing into and offering for sale within this State any article of food or drugs to register their firm names and ad-

dressses with the Dairy and Food Commissioner and to pay a fee of one dollar for such registration; and to amend Section 4 of said Chapter 47 so as to include the word 'saccharin,' and declaring an emergency."

H. B. No. 245, A bill to be entitled "An Act placing a closed season of five years on antelope, mountain sheep, wild pheasant, wild woodcock, wild wood duck, and wild prairie chicken; providing a penalty for the violation of same; repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 126, A bill to be entitled "An Act to protect and promote the fruit and vegetable industry of this State, and to protect the growers, shippers and consumers of fruits and vegetables grown within this State, and to protect and promote the reputation of such fruits and vegetables grown within this State in foreign and domestic markets, and to protect the public against the imposition of fraud in the purchase of such fruits and vegetables by establishing standards for 'containers,' 'packs' and grades for such fruits and vegetables; regulating the manufacture of containers within this State for sale within this State; prescribing the duties of the Commissioner of Markets and Warehouses of this State for the enforcement of this Act; prohibiting the use of containers, other than established by this Act, for packaging or packing fruits and vegetables grown within this State; inhibiting the packing, selling or transporting of such fruits and vegetables which are unfit for human consumption; prohibiting the degrading or adulteration of such fruits and vegetables; providing for inspection of same and fixing the amount of fees which may be charged therefor; establishing a special fund and appropriating the same for carrying out the purpose of this Act; providing for the branding or marketing of containers, when filled; providing for the issuance of inspection certificates and making such certificates prima facie evidence, as to the grade, quality and condition of the commodity at the time of inspection for which it was issued; authorizing the Commissioner of Markets and Warehouses of this State to promulgate standards of containers, grades and packs in conformity with those hereafter established by Congress or the Secretary of Agriculture of the United States, and to promulgate such other standards of containers,

grades and packs, and grade names, as in his judgement are expedient and to the best interest of the fruit and vegetable growers of this State; providing for tolerances; providing for supervision of the grading and packing of fruits and vegetables grown within this State by the Commissioner of Markets and Warehouses or inspectors appointed by him; inhibiting the manufacture and sale of containers other than standard within this State for use within this State; defining terms used in this Act; prescribing penalties for the violation of the provisions of this Act; repealing certain laws and all other laws in conflict herewith, and declaring an emergency," with engrossed rider.

S. B. No. 84, A bill to be entitled "An Act to create the Roscoe Independent School District in Nolan County, Texas, including the present Roscoe Independent School District; providing a board of trustees therefor; vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the General Laws of Texas for school purposes only; providing that the board of trustees of the present Roscoe Independent School District shall continue to act as such until their successors are elected in accordance with the provisions of this Act and the General Laws of Texas, and declaring an emergency," with amendments.

S. B. No. 94, A bill to be entitled "An Act creating the Gladewater County Line Independent School District in Gregg and Upshur Counties, Texas; defining its boundaries; providing for a board of trustees of said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws of Texas upon independent school districts and the boards of trustees thereof, including power to extend its boundaries; providing that all bonds heretofore voted in said district shall remain in full force and effect against the territory of said district which voted same; providing for the assumption of said bonds by said district; providing for payment of its proportion of the bonded indebtedness of Union Grove Common School District; providing for appointment of Tax Assessor and Collector and Board of Equalization; and declaring an emergency."

H. C. R. No. 11., Relating to the Davis Mountain Parks.

H. B. No. 67, A bill to be entitled "An Act providing for the supervision and regulation of the transportation of persons and property for compensation or hire over any public highway by motor propelled vehicles; defining auto transportation companies as common carriers, and providing for the supervision and regulation thereof by the Railroad Commission of Texas; providing for the issuance of certificates of convenience and necessity for the operation of auto transportation companies; providing for the furnishing of liability insurance or a surety bond by auto transportation companies; defining the duties and powers of the Railroad Commission of Texas over auto transportation companies; authorizing the Railroad Commission of Texas to make rules and regulations for governing auto transportation companies, to fix rates, supervise service, make investigation of books, accounts, and the doing of all other matters and things pertaining to auto transportation that may be necessary in the matter of regulation and control; authorizing the Railroad Commission of Texas to punish for contempt for the violation of its rules and regulations; providing a penalty for the violation of the law and the rules and regulations of the Railroad Commission of Texas; providing for the collection of an annual fee to defray the cost of administering and enforcing this law, and the payment of such employees and all other expense out of the funds derived from fees and fines, and providing for payment in event of deficit, and declaring an emergency," with engrossed rider.

House failed to pass finally

S. B. No. 89, A bill to be entitled "An Act to create and provide for a Department of Insurance for the State of Texas, separate and distinct from the Department of Banking of this State; vesting therein and giving to it jurisdiction of all matters things, powers, and functions of the Department of Insurance and Banking, except such as may have been divested therefrom and vested in the Department of Banking; and giving to it all the powers, jurisdiction, things and functions now vested in the State Insurance Commission; providing that the present two Commissioners shall continue to hold their respective positions until their successors are appointed and quali-

fied as now provided by law; and providing for the appointment, term of office, name, compensation and prescribing the qualifications, powers and duties of the Commissioner of Insurance. The purposes of this Act being to consolidate the State Insurance Commission with the Department herein created, without changing the personnel, powers, jurisdiction and functions, duties and rights of said Commission, other than is herein expressly provided. To require of the Commissioner of Insurance and the two Commissioners an oath of office and a bond for the faithful discharge of their duties. The Department hereby created shall be known as the Department of Insurance, and shall be composed of three members. The Commissioner of Insurance herein provided for shall be the chairman and the presiding officer of said Commission. Each of the other two members of said Commission shall be designated and known as Commissioners and giving to the Commission all powers to name and appoint all necessary actuaries, stenographers, clerks and other employees, and to discharge same when necessary, requisite to the efficient carrying out of the provisions of this Act; providing that the salaries of the Commission and of all employees in said Department and all the expenses of same, shall be paid out of the general revenues of this State, as is now provided by law; providing that the members of the Commission and the employees of said Department shall be placed and held under a rule of civil service as near as possible; providing that no Commissioner or employee shall be interested in any insurance company except as an insured; providing that if any section of this Act is declared unconstitutional, it shall not invalidate the remainder thereof, declaring the purposes of this Act; and declaring an emergency."

By a vote of 10 yeas, 86 nays, 5 present not voting.

House has adopted the report of the Free Conference Committee on H. B. No. 10.

House has refused the report of the Free Conference Committee on H. B. No. 1 by a vote of 81 yeas, 32 nays, and appoints another Free Conference Committee to adjust the differences between the two Houses and requests the Senate to do the same. The following Committee is appointed on part of the House: Teer, McNatt, Simpson, Baker of Orange, and Storey.

House refuses to concur in Senate amendments to H. B. No. 7 and requests the appointment of a Free Conference Committee to adjust the differences between the two Houses. The following committee is appointed on part of the House: Henderson of Marion, Patman, Durham, De Berry, and Stewart of Reeves.

House has concurred in Senate amendments to H. C. R. No. 11.

House has concurred in Senate amendments to H. B. No. 210.

House has adopted the report of the Free Conference Committee on H. B. No. 25.

House refuses to concur in Senate amendments to H. B. No. 23 and requests the appointment of a Free Conference Committee to adjust the differences between the two Houses. The following committee is appointed on part of the House: Chitwood, Greer, Harris, Westbrook, and Satterwhite.

House has concurred in Senate amendments to H. B. No. 51.

House has concurred in Senate amendments to H. B. No. 60 by a vote of 104 yeas, 4 nays.

Respectfully submitted,

C. L. PHINNEY,

Chief Clerk, House of Representatives.

Bills Read and Referred.

The Chair (Senator pro tem Chas. Murphy) had referred, after their captions had been read, the following House Bills:

H. B. No. 67, to the Committee on Roads, Bridges and Ferries.

H. B. No. 26, to the Committee on State Affairs.

H. B. No. 30, to the Committee on State Affairs.

H. B. No. 44, to the Committee on Internal Improvements.

H. B. No. 111, to the Committee on Criminal Jurisprudence.

H. B. No. 110, to the Committee on Criminal Jurisprudence.

H. B. No. 66, to the Committee on Criminal Jurisprudence.

H. B. No. 114, to the Committee on Agricultural Affairs.

H. B. No. 117 to the Committee on State Affairs.

H. B. No. 174, to the Committee on Civil Jurisprudence.

H. B. No. 149, to the Committee on Roads, Bridges and Ferries.

H. B. No. 175, to the Committee on State Affairs.

H. B. No. 127, to the Committee on Roads, Bridges and Ferries.

H. B. No. 158, to the Committee on Civil Jurisprudence.

H. B. No. 196, to the Committee on Criminal Jurisprudence.

H. B. No. 207, to the Committee on Educational Affairs.

H. B. No. 186, to the Committee on Labor.

H. B. No. 224, to the Committee on Civil Jurisprudence.

H. B. No. 245, to the Committee on State Affairs.

H. B. No. 212, to the Committee on Civil Jurisprudence.

H. B. No. 231, to the Committee on Civil Jurisprudence.

H. B. No. 126, to the Committee on Agricultural Affairs.

Bills Signed.

The Chair (Lieutenant Governor Davidson) gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. B. No. 33.

H. B. No. 205.

H. B. No. 215.

H. B. No. 218.

H. B. No. 236.

H. B. No. 213.

H. B. No. 135.

H. B. No. 197.

H. B. No. 139.

H. B. No. 190.

H. B. No. 181.

H. B. No. 165.

H. B. No. 177.

H. B. No. 178.

H. B. No. 222.

H. B. No. 70.

H. B. No. 78.

H. B. No. 79.

H. B. No. 83.

H. B. No. 113.

H. B. No. 115.

H. B. No. 116.

H. B. No. 128.

H. B. No. 129.

H. B. No. 132.

H. B. No. 133.

H. B. No. 144.

H. B. No. 150.

H. B. No. 194.

S. B. No. 84.

S. B. No. 94.

Adjournment.

On the motion of Senator Clark, the Senate, at 11:30 p. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.

Committee Reports

Senate Chamber.

Austin, Texas, May 14, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. B. No. 113 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Senate Chamber.

Austin, Texas, May 14, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. J. R. No. 2 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Committee Room,

Austin, Texas, May 12, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: Your Committee on State Affairs to whom was referred H. B. No. 175, have had same under careful consideration and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, May 14, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 158, a bill to be entitled "An Act to facilitate the marketing and distribution of the natural resources of the State, and the products manufactured therefrom, by extending the right of condemnation to certain corporations, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

BAILEY, Chairman.

Committee Room,

Austin, Texas, May 14, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 224, A bill to be entitled "An Act to amend Articles 4256 and 4257 of an Act entitled guardian and ward, Chapter 17, Title 64 of the Revised Civil Statutes of Texas, 1911, providing for the appointment and qualification of non-resident guardians of the estate of non-resident minors in the State of Texas; prescribing the procedure in such cases; fixing the amount of the bond of such guardians; providing for the removal out of the State of Texas of personal property of such estates; providing for the sale of real property belonging to such estates and removal of the proceeds thereof; providing for the procedure in such sales, and validating the proceedings heretofore taken under Chapter 17, Title 64, Revised Civil Statutes of Texas, 1911, and as since amended, qualifying such guardians, and sales of real estate heretofore made by such non-resident guardians, made in accordance with the provisions of Chapters 11 and 12, Revised Civil Statutes of Texas, 1911, and as since amended; and to repeal all laws in conflict herewith and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

BAILEY, Chairman.

Committee Room,

Austin Texas, May 14, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 231, A bill to be entitled "An Act to amend part three of Chapter 179 of the Acts of the Regular Session of the Thirty-third Legislature, 'relating to Workmen's Compensation,' as amended by Chapter 103 of the Acts of the Regular Session of the Thirty-fifth Legislature, by adding thereto a section to be known as Section 24, requiring the Texas Employers' Insurance Association to pay such taxes as may now or hereafter be required of private corporations licensed to write Workmen's Compensation in Texas, and creating an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

BAILEY, Chairman.

Committee Room,

Austin, Texas, May 14, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 212, a bill to be entitled "An Act to repeal Section 23, Chapter 47, General Laws passed at the Regular Session of the Thirty-second Legislature requiring manufacturers of food and drugs doing business in the State of Texas, and all persons bringing into and offering for sale within this State any article of food or drug, to register their firm names and addresses with the Dairy and Food Commissioner and to pay a fee of one dollar for such registration; and to amend Section 4, of said Chapter 47, so as to include the word 'saccharin'; and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

BAILEY, Chairman.

Committee Room,

Austin, Texas, May 15, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

H. B. No. 230, A bill to be entitled "An Act authorizing the Commissioners Court of Floyd County to validate the sale of a certain block of land in the county of Floyd in this State, known as 221 acres out of Section No. 89, Block No. 1, A. B. & M., Certificate No. 1497 and shown on the official map of Floyd County; authorizing the commissioners' court of said county to execute a deed of confirmation, without the necessity of public advertisement and public sale and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

THOMAS, Chairman.

Committee Room,

Austin, Texas, May 14, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 174, A bill to be entitled "An Act to amend Article 7629 of the Revised Civil Statutes of 1911 pertaining to credits allowed tax collectors for unpaid taxes reported or returned by them as delinquent or insolvent."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

BAILEY, Chairman.

Committee Room,

Austin, Texas, May 12, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 86, A bill to be entitled "An Act to require the payment of interest on certain deposits required from water, light, gas, and telephone companies within this State; requiring the making of annual reports; providing penalties for violations hereof; providing certain revenues, and declaring an emergency."

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass with the following committee amendment:

Amend H. B. No. 86, by striking out all of Section 2, and by renumbering the following sections.

And we recommend further that the bill and the amendment be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, May 14, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Tax Investigation as provided for in Senate Resolution No. 12, have had the question of inequality of taxation under investigation and consideration and report that we find inequality of taxation in every town, city and county in Texas without exception. Your committee did not feel it should conduct an expensive investigation and hence invited before it only such persons who desired to give

valuable information without extra cost to the State.

Upon invitation, Hon. Fred W. Cook, president Texas Tax League, along with Judge Mourson, Judge I. E. Burney, Judge Waverly Briggs, and Mr. M. C. Richoly and Secretary J. B. Carrigan of the Texas Tax League appeared before your committee and made a written report shown as exhibit A of our report in which they withdrew their statements that the counties in Texas who received more money from the State Treasury than they paid in were tax dodging counties.

Exhibit B is a copy of a letter written by the Texas League for Equal and Uniform Taxation, January 4, 1923, signed by Ernest Stevens, vice-president, and John G. Willacy, manager, in which they assert that gross inequalities exist in various counties in Texas because some receive more money back than they pay into the Treasury and others pay in more money than they get back. In Senator Willacy's report as Tax Commissioner for 1922, he portrays his theory by issuing a bulletin showing how much each county paid into the Treasury for the years 1920, 1921 and 1922, showing the excess some counties received over amount paid in and the excess other counties paid in over amount received, without going further into the proposition. Altho he said no more, this bulletin has been the source of creating much friction over the State without making any comparison of tax renditions over the State or even mentioning tax renditions in the report.

Exhibits C and D are articles written by Col. T. N. Jones, Tyler, Texas, which deals with the theory that number of scholastics, population, concentration of wealth, percentage or property renditions, personal and real, tangible and intangible, and various other factors in our State Government, must be considered along with the amount of money paid into and received from the Treasury of the State of Texas, in order to determine whether any county was paying her part of taxes.

Exhibit E is a compilation of data affecting adjoining counties in different sections of Texas where one county receives more money than it pays into the Treasury and where another county pays more than it receives from the Treasury. No effort is made

to make comparisons between these counties, but is left for each Senator to draw his own conclusions therefrom. Your committee has received letters from each tax assessor in Texas showing the percentage of rendition on real property, banks, personal property, and farming lands and is turning such information over to the Tax Commissioner.

It is the opinion of your committee that inequality of taxation exists in every county of Texas but that land is paying more than its just proportion of taxes, and that there is vast amounts of property escaping taxation which should be forced to be rendered, and urge the Tax Commissioner to assemble such information in his next report as to show taxable values escaping taxation, and the actual and rendered values of every county in the State of Texas so that the Thirty-Ninth Legislature may be in position to make adequate laws to the effect that taxation shall be equal and uniform.

POLLARD, Chairman.

(Floor Report.)

Senate Chamber,

Austin, Texas, May 14, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Agricultural Affairs, to whom was referred

H. B. No. 126, A bill to be entitled "An Act to protect and promote the fruit and vegetable industry of this State, and to protect the growers, shippers and consumers of fruits and vegetables grown within this State, and to protect and promote the reputation of such fruits and vegetables grown within this State in foreign and domestic markets, and to protect the public against the imposition of fraud in the purchase of such fruits and vegetables, by establishing standards for 'containers,' 'packs,' and grades for such fruits and vegetables; regulating the manufacture of containers within this State for sale within this State; prescribing the duties of the Commissioner of Markets and Warehouse of this State for the enforcement of this Act; prohibiting the use of containers, other than established by this Act, for packaging or packing fruits and vegetables grown within this State; inhibiting the packing, selling or transporting of such fruits and vegetables which are unfit for human consump-

tion; prohibiting the degrading or adulteration of such fruits and vegetables; providing for inspection of same and fixing the amount of fees which may be charged therefor; establishing a special fund and appropriating the same for carrying out the purpose of this Act; providing for the branding or marketing of containers, when filled; providing for the issuance of inspection certificates and making such certificates prima facie evidence as to the grade, quality and condition of the commodity at the time of inspection, for which it was issued; authorizing the Commissioner of Markets and Warehouses of this State to promulgate standards of containers, grades and packs in conformity with those hereafter established by Congress, or the Secretary of Agriculture of the United States, and to promulgate such other standards of containers, grades and packs, and grade names, as in his judgment are expedient and to the best interest of the fruit and vegetable growers of this State; providing for tolerances, providing for supervision of the grading and packing of fruits and vegetables grown within this State, by the Commissioner of Markets and Warehouses or inspectors appointed by him; inhibiting the manufacture and sale of containers, other than standard, within this State, for use within this State; defining terms used in this Act; prescribing the penalties for the violation of the provisions of this Act; repealing certain laws, and all other laws in conflict herewith; and declaring an emergency."

Have had same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass with House amendments, and be not printed.

Clark, Cousins, Parr, Darwin, Stuart, Pollard.

Committee Room,

Austin, Texas, May 14, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

H. B. No. 67, A bill to be entitled "An Act providing for the supervision and regulation of the transportation of persons and property for compensation or hire over any public highway by motor propelled vehicles; defining auto transportation

companies as common carriers and providing for the supervision and regulation thereof by the Railroad Commission of Texas; providing for the issuance of certificate of convenience and necessity for the operation of auto transportation companies; providing for the furnishing of liability insurance or a surety bond by auto transportation companies; defining the duties and powers of the Railroad Commission of Texas over auto transportation companies; authorizing the Railroad Commission of Texas to make rules and regulations for governing auto transportation companies, to fix rates, supervise service, make investigation of books, accounts and the doing of all other matters and things pertaining to auto transportation that may be necessary in the matter of regulation and control; authorizing the Railroad Commission of Texas to punish for contempt for the violation of its rules and regulations; providing a penalty for the violation of the law and the rules and regulations of the Railroad Commission of Texas; providing for the collection of an annual fee to defray the cost of administering and enforcing this law; providing for additional office space and the employment of the necessary employees to administer and enforce this law, and the payment of such employees and all other expenses out of the funds derived from fees and fines and providing for payment in event of deficit, and declaring an emergency."

Have had same under consideration, and beg to report it back with the recommendation that it do pass, and be not printed.

BURKETT, Chairman.

Committee Room,

Austin, Texas, May 14, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 207, A bill to be entitled "An Act to relieve certain schools and school districts of the State by validating certain school districts, and where such districts have undertaken to provide for the issuance

of schoolhouse bonds or the levying of special taxes for any lawful school purposes, validating such bond issues and taxes, and declaring an emergency,"

Have had same under consideration, and I am instructed by the committee to report the same back to the Senate with the recommendation that it do pass, and that it be not printed.

WOOD, Chairman.

Committee Room,

Austin, Texas, May 14, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 245, A bill to be entitled "An Act placing a closed season of five years on antelope, mountain sheep, wild pheasant, wild wood-cock, wild wood-duck, and wild prairie chicken; providing a penalty for the violation of same; repealing all laws in conflict herewith, and declaring an emergency."

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, May 14, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 66, A bill to be entitled "An Act regulating the lighting of all motor vehicles in Texas; providing for the testing of such lighting devices and the approval of same by the State Highway Commission before being used on any motor vehicle operated within this State; giving the Highway Commission power to conduct such test, and providing that they shall charge a fee sufficient to cover the actual expense of conducting such test; providing penalties for the violation of this Act, and repealing all laws in conflict herewith, and declaring an emergency,"

Have had same under consideration, and beg to recommend that it do pass, and that it be not printed.

TURNER, Chairman.

Committee Room,
Austin, Texas, May 14, 1923.
Hon. T. W. Davidson, President of
the Senate.

Sir: We, your Committee on
Criminal Jurisprudence, to whom
was referred

H. B. No. 112, A bill to be entitled
"An Act to regulate the packing
and the marketing of packages and
containers; requiring the net quan-
tity of the contents of such pack-
ages or containers to be plainly and
conspicuously marked on the out-
side of package or container; de-
fining the term 'container'; giving
authority to the State Superintend-
ent of Weights and Measures to su-
pervise the enforcement of this Act;
providing for penalties for the en-
forcement of the Act; repealing Sec-
tion 8, Chapter 130, Acts of the
Regular Session of the Thirty-sixth
Legislature and all laws in conflict,
and declaring an emergency."

Have had same under considera-
tion, and I am instructed to report
the same ack to the Senate with the
recommendation that it do pass and
be not printed.

TURNER, Chairman.

Committee Room,
Austin, Texas, May 14, 1923.
Hon. T. W. Davidson, President of
the Senate.

Sir: We, your Committee on
Criminal Jurisprudence, to whom
was referred

H. B. No. 110, A bill to be entitled
"An Act to regulate the packing
and the marketing of packages and
containers; requiring the net quan-
tity of the contents of such pack-
ages or containers to be plainly and
conspicuously marked on the out-
side of package or container; de-
fining the term "container"; giving
authority to the State Superintend-
ent of Weights and Measures to
supervise the enforcement of this
Act; providing for penalties for the
enforcement of the Act; repealing Sec-
tion 8, Chapter 130, Acts of the Regu-
lar Session of the Thirty-sixth Legis-
lature and all laws in conflict, and
declaring an emergency."

Have had same under considera-
tion, and I am instructed to report
the same back to the Senate with
the recommenadtion that it do pass
and be not printed.

TURNER, Chairman.

Committee Room,
Austin, Texas, May 14, 1923.
Hon. T. W. Davidson, President of
the Senate.

Sir: We, your Committee on Crim-
inal Jurisprudence, to whom was re-
ferred

H. B. No. 196, A bill to be entitled
"An Act making it unlawful to de-
posit filth, trash, tin cans, rubbish
and waste material of any nature, in
any public street, road or highway,
or upon any private land or property,
prescribing penalty for the violation
of this Act, and declaring an emer-
gency."

Have had same under considera-
tion, and I am instructed to report it
back to the Senate with the recom-
mendation that it do pass and that
it be not printed.

TURNER, Chairman.

Committee Room,
Austin, Texas, May 13, 1923.
Hon. T. W. Davidson, President of
the Senate.

Sir: We, your Committee on
State Penitentiaries, to whom was re-
ferred Senate Joint Resolution No. 2,
have had the same under considera-
tion, and I am instructed to report it
back with the recommendation that
it be not adopted, but that the com-
mittee substitute therefor be adopted,
said committee substitute being as
follows:

Whereas, Information has come to
the Legislature that the Board of
Prison Commissioners of the State of
Texas was about to execute a contract
with a mining company to lease the
said mining company sufficient con-
vict labor to operate its iron mines
in East Texas; this committee finds
that no contract between said parties
has been executed and delivered, and
further that the Governor of this State
is opposed to any such arrange-
ment. We commend his attitude in
the matter, and strongly protest
against any such contract being
made, or even considered by the
authorities of this State; and,

Whereas, Information has come to
the Legislature that the said Board
of Prison Commissioners has entered
into, or was about to enter into a
contract with the Reliance Manufac-
turing Company of Chicago, Illinois,
whereby convict labor was to be
used in the manufacture of work
shirts, dresses, or aprons and chil-
dren's play suits for the said Re-

liance Manufacturing Company at a stated price per dozen; and,

Whereas, It has been ascertained upon the testimony before the committee, that only a tentative understanding, or agreement to said effect had been made, and that the completion of said contract was subject to the approval of both the Governor and Attorney General of the State of Texas; and,

Whereas, The said Attorney General has rendered an opinion on said tentative agreement, or proposed contract to the effect that the same as drawn is violative of Article 6174 of the Revised Civil Statutes of Texas, which reads as follows:

"It is hereby declared the policy of this State to work all prisoners within the walls and upon the farms owned or leased by the State, and in no event shall the labor of a prisoner be sold to any contractor or lessee, nor shall any prisoner be worked on any farm not owned or leased by the State, or otherwise upon shares." And,

Whereas, In view of said statute, both the said Governor and Attorney General have declined to give their approval to said tentative agreement, or proposed contract whereby the said proposed contract has not, and can not become effective, we here and now enter our earnest protest against the same ever becoming effective in its present form, or in any other form, by which the law and policy of the State against the leasing of convict labor, either directly or indirectly will be violated. Therefore be it

Resolved, By the Senate of the State of Texas and the House of Representatives of said State in Second Called Session of the Thirty-eighth Legislature assembled; do hereby declare it to be, not only the law, but the established policy of this State, not to sell labor of a prisoner to any contractor, or lessee whatsoever, either by direct or indirect methods, and we look with disfavor and emphatic disapproval upon any effort in that direction. While we think it would be to the best interest, not only to the State, but to the convicts themselves, that those confined within the walls of the penitentiary in idleness should be put to work, we oppose any arrangement by which the lease system will be brought back into existence in this

State. The atrocities and brutalities inflicted upon the convicts of Texas under the lease system obtaining prior to the enactment of our present non-lease statute were, and always will be a reproach upon the fair name of our great State, and the Legislature of the State of Texas here and now goes on record against any plan, or scheme even tending toward a return to the said lease system; and, be it further

Resolved, That the said Senate and said House of Representatives express their confidence in the ability of the prison authorities to work out some proper plan by which the prisoners within the walls may be employed in a manner conforming to the established policy of this State, and the Legislature pledges its support in carrying out such plans when thus formulated.

LEWIS, Chairman.

Committee Room,

Austin, Texas, May 14, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Labor, to whom was referred

H. B. No. 186, A bill to be entitled "An Act to amend Sections 3 and 20 of House Bill No. 13, passed at the Regular Session of the Thirty-eighth Legislature, and approved by the Governor February 28, 1923, being 'An Act for licensing, bonding and regulating private employment agencies,' etc.,

And after fully considering said bill, we desire to report said bill back to the Senate with the recommendation that it do pass and that it be not printed on account of a similar bill having been previously reported favorably and ordered printed on the same subject.

MURPHY, Chairman;

(Floor Report.)

Austin, Texas, May 14, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Agricultural Affairs, to whom was referred

H. B. No. 114, A bill to be entitled "An Act to safeguard the public in the purchase of pure bred cotton seed true to name; creating a State Board of Plant Breeder Examiners,

defining their duties, establishing a system of registration and certification; providing that the State Board of Plant Breeder Examiners shall prescribe all necessary rules and regulations and pass upon the application of breeders and growers for registration and certification; providing further that the Commissioner of Agriculture shall make the necessary inspection for the proper enforcement of said Act, and shall have printed tags to be placed upon bags and other containers of cotton seed offered for sale under the terms of this Act, and charge a fee for same; and to enforce the provisions of this Act; prescribing penalties for the violation of said Act; providing that this Act shall be cumulative of Chapter 62, Acts of the Second Called Session of the Thirty-sixth Legislature, and declaring an emergency."

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

Cousins, chairman; Pollard, Parr, Darwin, Clark.

Committee Room.

Austin, Texas, May 14, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 113, A bill to be entitled "An Act making appropriation to supplement the mileage and per diem fund and contingent expense fund of the Second Called Session of the Thirty-eighth Legislature, convened on the 16th day of April, 1923, by proclamation of the Governor, providing how accounts may be approved, and declaring an emergency."

Have had same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

WOOD, Chairman.

TWENTY-THIRD DAY.

Senate Chamber,

Austin, Texas,

Tuesday, May 15, 1923.

The Senate met at 10 o'clock a.

m., pursuant to adjournment, and was called to order by Lieutenant Governor T. W. Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Witt.
Holbrook.	Wood.
McMillin.	Woods.

Absent.

Bowers.	Murphy.
Lewis.	Wirtz.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Watts.

(See Appendix for committee reports, petitions and memorials.)

H. B. No. 126—Recalled from House.

I move that the Senate request the return of House Bill No. 126 from the House for correction, and reconsider the vote by which the bill was finally passed.

FAIRCHILD.

Senator Clark moved to table the motion to reconsider, and the motion to table was lost.

The motion to reconsider and recall then prevailed.

S. C. R. No. 18.

By Senator Clark:

Be it Resolved by the Senate, the House Concurring, That the last sentence of Rule 11 of the Joint Rules of the House and Senate be, and the same is hereby suspended for the consideration by the House of Senate Bill No. 61.

The resolution was read.

Senator Woods moved to refer the resolution to the Committee on Rules.